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Letter dated 12 July 2013 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council

On behalf of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, and in accordance with paragraph 13 (m) of Security Council resolution 2060 (2012), I have the honour to transmit herewith the report on Somalia of the Monitoring Group on Somalia and Eritrea.

In this connection, the Committee would appreciate it if the present letter, together with its enclosure, were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) **Kim** Sook
Chairman
Security Council Committee pursuant to
resolutions 751 (1992) and 1907 (2009)
concerning Somalia and Eritrea

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Letter dated 19 June 2013 from the members of the Monitoring Group on Somalia and Eritrea addressed to the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

We have the honour to transmit herewith the report on Somalia of the Monitoring Group on Somalia and Eritrea, in accordance with paragraph 13 (m) of Security Council resolution 2060 (2012).

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Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2060 (2012): Somalia

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* The annexes are being circulated in the language of submission only.
** The annex has not been reproduced in the present document because it is strictly confidential.

Abbreviations

AMISOM	African Union Mission in Somalia
ENDF	Ethiopian National Defence Forces
FAO	Food and Agriculture Organization of the United Nations
KDF	Kenya Defence Forces
MSF	Médecins san Frontières
NATO	North Atlantic Treaty Organization
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNSOM	United Nations Assistance Mission in Somalia

Summary

The end of transition in Somalia in summer 2012, though fragile and flawed, nevertheless led to the election of Hassan Sheikh Mohamud as President and presented an opportunity for a new kind of leadership in the country. However, a genuine end of transition necessitated both a change in individual leadership as well as a change in the system of government that in the past had undermined the State-building enterprise through misappropriation of public goods and security sector fiefdoms. While control over financial flows and security institutions was divided between several principal power holders in the past, the new President inherited a system in which he controlled neither. While struggling to extend his reach into government in Mogadishu as well as into the country generally, he has had to develop coping mechanisms to obtain external funds and arrange security relations inside and outside of Government. These limitations at the centre of the Federal Government, the realignment of networks of influence in and around it and more broadly in Somalia, as well as events in past months, notably in "Jubaland", threaten to undermine the Federal Government of Somalia and the current peace and reconciliation process in the country.

Meanwhile, Al-Shabaab has suffered conventional military setbacks, particularly in urban centres, including the loss of Kismaayo, as the forces of AMISOM and the Somali National Army expanded their areas of territorial control. However, Harakaat al-Shabaab al-Mujaahidiin continues to control most of southern and central Somalia and has shifted its strategic posture to asymmetrical warfare in both urban centres and the countryside. The military strength of Al-Shabaab, with an approximately 5,000-strong force, remains arguably intact in terms of operational readiness, chain of command, discipline and communication capabilities. By avoiding direct military confrontation, it has preserved the core of its fighting force and resources. Given its structure, internal dissension has had no impact on Al-Shabaab's ability to conduct operations. The leadership of Ahmed Godane has been kept largely unchallenged, in part by strengthening the role and resources of *Amniyat*, Al-Shabaab's "secret service", which is structured along the lines of a clandestine organization within the organization with the intention of surviving any kind of dissolution of Al-Shabaab. At present, Al-Shabaab remains the principal threat to peace and security in Somalia.

The merger between Al-Shabaab and Al-Qaida in 2012 appears largely symbolic. Al-Shabaab continues to pose a regional and international threat through its affiliates. Notably, in Kenya, Al Hijra (formerly the Muslim Youth Centre) and its financier, the Pumwani Riyadha Mosque Committee, have suffered setbacks from disruptions of Al Hijra's operations by international and regional security services, as well as unexplained killings and disappearances of its members. However, Al Hijra is striving to regain the initiative, in part through its fighters in Somalia returning to conduct new and more complex operations and through strengthening its ties to other groups in the region. In this context, the self-styled Al-Qaida affiliate, Abubakar Shariff Ahmed "Makaburi", designated for targeted measures by the Committee in August 2012, is increasingly asserting his influence over Al Hijra.

More broadly in Somalia, several spoiler networks have emerged. In northern Somalia, with the general decline of pirate activity a network of individuals, including known pirate leaders, is engaged in providing private security for

unlicensed fishing vessels in Somali waters and is connected to weapons smuggling and Al-Shabaab networks in north-eastern Somalia. In the east-central region of Galmudug, a "former" Mogadishu warlord, Abdi Hassan Awale "Qeybdiid", has returned to prominence by appropriating political power and instigating clan conflict, thereby undermining the Federal Government and threatening security in the northern region of "Puntland". In southern Somalia, two core groups of spoilers are either aligned against or in favour of the Federal Government. Sheikh Ahmed Mohamed Islam "Madobe" and his Ras Kamboni forces, with Kenyan support, have established their own military presence in Kismaayo in opposition to the central Government, while a group of Hawiye/Habar Gedir/Ayr warlords and their allies in the Darod/Marehan network of Barre Adan Shire "Hiiraale" are acting as proxies for the central Government, but pursing their own individual and clan-based agendas. Both spoiler groups have interests that intersect with those of Al-Shabaab.

With the decline in the number of pirate incidents, organized criminal networks and individuals are diversifying their financial interests by undertaking different ventures, including providing armed protection aboard vessels involved in regional trade or fishing activities. While piracy may be contained at sea, the various pirate networks remain active. In the persisting absence of serious national and international efforts to investigate, prosecute or sanction those responsible for organizing Somali piracy, the leaders, financiers, negotiators and facilitators will continue to operate with impunity. Of particular concern in this context are the steps taken by the Federal Government towards a policy of amnesty.

Despite the change in leadership in Mogadishu, the misappropriation of public resources continues in line with past practices. The campaign financing structure of the 2012 elections recycled funds derived from external and internal sources to distort the political system. Notably, public financial management efforts to redirect Government revenues to the Central Bank proved to be serving a flawed objective. On average, some 80 per cent of withdrawals from the Central Bank are made for private purposes and not for the running of Government, representing a patronage system and a set of social relations that defy the institutionalization of the State. In this context, the fiduciary agency managed by PricewaterhouseCoopers was reduced to a transfer agent that could not ensure accountability of funds once they reached the Government of Somalia. Indeed, of 16.9 million transferred by PricewaterhouseCoopers to the Central Bank, US$ 12 million could not be traced. Key to these irregularities has been the current Governor of the Central Bank, Abdusalam Omer. In addition, the production of the national passport continues to be fraught with fraud and corruption, undermining the integrity of the national travel document. While more customs and port fee revenues from Mogadishu port have been deposited into the Central Bank, they are proportionally less than the increase in shipping traffic, and a monthly average of at least 33 per cent cannot be accounted for. At present, the emergence of significant oil interests in Somalia and the region risks exacerbating political tensions in Somalia, undermining coordination between federal and regional administrations and threatening peace and security in the country.

Despite the relaxation of the arms embargo for the Federal Government of Somalia, a variety of violations persist. The patterns of arms shipments to Somalia remain similar to those of previous years, with smuggling networks able to exploit a number of small ports around the coast of Somalia and supply routes between the northern and southern parts of the country. In addition, concerns over command and

control within AMISOM and Kenyan forces, as well as support to Somali proxies by the Government of Ethiopia outside any exemption, remain unresolved issues. Generally, there has been an improvement by Member States in complying with procedures of the arms embargo, although the Federal Government has yet to fulfil its obligations under the revised regime. The activities of private security companies continue to grow, at times in violation of the arms embargo.

Despite improved access in certain areas of the country, access to vulnerable civilians remains a challenge for the humanitarian community, and all parties in Somalia continue to obstruct the provision of humanitarian assistance. Al-Shabaab maintained and expanded its ban on most aid agencies in areas under its control, while all actors in Somalia subjected humanitarian organizations to taxation, illegal roadblocks, intimidation and extortion. Moreover, as a consequence of both remote management by aid agencies in Nairobi and the culture of "gatekeepers", diversion of humanitarian assistance by third parties, as well as by staff and partners of aid organizations, continues to undermine international efforts.

Throughout Somalia, all parties to the conflict continue to violate international humanitarian law and human rights standards. Military operations and guerrilla warfare across the country caused significant harm to civilians. In 2012 in Mogadishu, some 6,680 civilian casualties suffered weapons-related injuries, many of them from improvised explosive devices deployed by Al-Shabaab. Data collected by human rights and humanitarian agencies demonstrate that pro-Government forces have also caused civilian casualties as a result of aerial attacks and naval and ground engagement. Meanwhile, gender-based violence remains an endemic phenomenon.

By November 2012, Kenyan forces, Sheikh Ahmed Madobe and his Ras Kamboni forces had unilaterally begun exporting charcoal from Kismaayo in flagrant violation of the Security Council ban and the instructions of the President of Somalia. Thereafter, approximately 1 million sacks of charcoal have been exported from Kismaayo each month, in addition to exports from Al-Shabaab-controlled Barawe and other smaller ports. Overall, the charcoal exports have increased by 140 per cent in comparison to previous years. The charcoal business architecture and trade networks remain intact, with Al-Shabaab maintaining a central role and continuing to benefit significantly.

As a result of its investigations, particularly those with financial implications for spoilers in Somalia, the Monitoring Group has experienced increasing obstruction of its work, including targeted killings, threats and intimidation of its alleged sources. In addition, as Somalia proceeds on its precarious path to peace and reconciliation, the various spoilers identified by the Monitoring Group threaten to undermine legitimate authority in the country as well as international assistance efforts. To better secure the gains made to date, the Monitoring Group believes that such individuals violating relevant Security Council resolutions should be designated for targeted measures with the least possible delay. To this end, it proposes several new additions to the sanctions lists established in accordance with Security Council resolutions 1844 (2008) and 1907 (2009).

I. Introduction

A. Mandate

1. The mandate of the Monitoring Group on Somalia and Eritrea is contained in paragraph 13 of Security Council resolution 2060 (2012), adopted on 25 July 2012. Additional tasks were assigned to the Monitoring Group under resolution 2093 (2013).

2. Pursuant to paragraph 13 (l) of resolution 2060 (2012), the Monitoring Group provided the Security Council, through its Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, a midterm briefing on 15 February 2013. The Monitoring Group also submitted monthly progress reports to the Committee throughout the period of its mandate.

3. In the course of their investigations, members of the Monitoring Group travelled to Belgium, Ethiopia, France, Greece, Italy, the Netherlands, Norway, Seychelles, Somalia, South Africa, South Sudan, Switzerland, Sweden, the United Republic of Tanzania, Uganda, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Yemen and Zambia. In Somalia, members of the Monitoring Group were able to undertake multiple visits to Mogadishu, Garowe, Bosasso and Kismaayo, but much of the south of the country remained inaccessible.

4. The Monitoring Group was based in Nairobi and comprised the following experts: Jarat Chopra (Coordinator), Jeanine Lee Brudenell (finance), Emmanuel Deisser (arms), Aurélien Llorca (transport), Dinesh Mahtani (finance), Jörg Roofthooft (maritime), Babatunde Taiwo (armed groups) and Kristèle Younès (humanitarian).

B. Methodology

5. The evidentiary standards and verification processes outlined in the previous reports of the Monitoring Group apply to work conducted during the mandate under review. The Monitoring Group reaffirmed its methodology pursuant to its previous reports (most recently, S/2012/544 of 13 July 2012). The methodology used for the current report is as follows:

(a) Collecting information on events and topics from multiple sources, where possible;

(b) Collecting information from sources with first-hand knowledge of events, where possible;

(c) Identifying consistency in patterns of information and comparing existing knowledge with new information and emerging trends;

(d) Continuously factoring in the expertise and judgement of the relevant expert of the Monitoring Group and the collective assessment of the Group with respect to the credibility of information and the reliability of sources; and

(e) Obtaining physical, photographic, audio, video and/or documentary evidence in support of the information collected.

6. The Monitoring Group made a deliberate and systematic effort to gain access to those involved in violations by way of individuals who have direct knowledge or who know people who have direct knowledge about details of violations. On certain occasions, the Monitoring Group was able to witness first-hand active violations.

7. The Monitoring Group interviewed a wide range of sources with relevant information, including government officials and representatives from diplomatic missions, civil society organizations and aid agencies. Members of the Monitoring Group met with a variety of officials of the Federal Government of Somalia, including the President, Prime Minister and Ministers of Foreign Affairs and Finance and Planning, among others, and security agencies. The Monitoring Group also met or communicated with officials from the "Puntland" and "Somaliland" administrations, representatives of other political and armed groups, defectors and members of business communities and Somali civil society.

8. In conformity with guidance provided by the Committee, the Monitoring Group endeavoured to include as much of the testimony and evidence as possible in its final report. However, General Assembly resolutions on the control and limitation of documentation, in particular resolutions 52/214, 53/208 and 59/265, necessitated the extensive use of annexes, preventing much of the substance from being translated. In addition, regulations exclude the insertion of maps, photographs and charts in the main report.

9. In accordance with the Secretary-General's bulletin entitled "Information sensitivity, classification and handling" (ST/SGB/2007/6) of 12 February 2007, the Monitoring Group has submitted to the Security Council Committee on Somalia and Eritrea, together with the present report, several strictly confidential annexes containing information whose disclosure may be detrimental to the proper functioning of the United Nations or to the welfare and safety of its staff or third parties or may violate the Organization's legal obligations. These annexes will not be issued as a document of the Security Council.

II. Acts that threaten the peace, security and stability of Somalia[1]

A. Harakaat al-Shabaab al-Mujaahidiin

10. Harakat al-Shabaab al-Mujahideen (Al-Shabaab) remains the principal threat to peace and security in Somalia. During the reporting period, the organization has claimed responsibility for hundreds of assassinations and attacks involving improvised explosive devices of different types (person-borne, vehicle-borne, suicide vehicle-borne, radio-controlled, and victim-operated), ambushes, mortar shelling, grenades and hit-and-run tactics. Al-Shabaab is also responsible for continuous violations of the arms embargo on Somalia and the ban on the export of charcoal (see annexes 6 and 9 to the present report).

[1] By paragraph 8 (a) of resolution 1844 (2008), the Security Council prohibited acts that threaten the peace, security or stability of Somalia. By paragraph 43 (a) of resolution 2093 (2013), the Council included among the prohibited acts those that threaten the peace and reconciliation process in Somalia or threaten the Federal Government of Somalia or AMISOM by force. By paragraph 2 of resolution 2002 (2011), the Council expanded the scope of prohibited acts to include the misappropriation of public financial resources.

11. Al-Shabaab's operations have targeted AMISOM forces, United Nations staff and premises, members of the security sector institutions of the Government of Somalia and "Puntland" and, to a lesser extent, other regional entities, but also Somali journalists, elders, politicians, judges, businessmen and civil society activists. These operations have caused hundreds of civilian casualties, including women and children and foreigners.

12. At present, Al-Shabaab remains in control of most of southern and central Somalia, including the entire region of Middle Juba, most of Hiran, Bay and Bakol regions and sizeable parts of Galgadud and Lower and Middle Shabelle regions. Multiple factors explain the resilience of Al-Shabaab, including longstanding support from some major clans, the capacity to provide a stable environment for business, livestock farming and agricultural production and the ability to represent for local elders a credible alternative to regional warlordism or to Mogadishu-based institutions, still perceived as a source of instability, violence and corruption.

13. The Monitoring Group considers, on the basis of its analysis of confidential intelligence reports, that the military strength of Al-Shabaab, with an approximately 5,000-strong force, remains arguably intact in terms of operational readiness, chain of command, discipline and communication capabilities, in spite of its alleged financial constraints and the loss of control of the port city of Kismaayo in the Lower Juba region of Somalia. However, it is not clear if the merger with Al-Qaida on 9 February 2012 had merely a symbolic impact on the organization or enhanced its expertise and resources. Although the current Al-Qaida leader, Ayman Al-Zawahiri, expressed his support for Al-Shabaab operations in Somalia once again in an audio message of 7 November 2012 and in video footage on 6 April 2013, the organization remains largely self-sufficient. In particular, links to Al-Qaida in the Arabian Peninsula, as described in the previous report of the Monitoring Group, remained more institutional than operational.[2]

14. The Monitoring Group also understands that Al-Shabaab has compiled and hidden in arms caches important stockpiles of weapons and ammunitions, proportionately distributed all over southern and central Somalia, awaiting the withdrawal of international forces to conduct a multiple-front offensive against the Federal Government of Somalia and its allied militias, and regional administrations.

15. Following the departure of ENDF and its proxies from El Bur, in the Galgadud region, and Hudur, in the Bakol region, Al-Shabaab captured these towns on 11 June 2012 and 17 March 2013, respectively. These takeovers illustrate not only the inability of the Federal Government of Somalia and its associated militias to control any ground without international support, but also the capacity of Al-Shabaab to readily recover lost territory.

16. Al-Shabaab has not launched any major attacks against AMISOM or forces of the Federal Government since the "Ramadan offensive" in August-September 2010, and almost systematically avoids direct military confrontation, even in towns of strategic importance such as Kismaayo. Consequently, Al-Shabaab has preserved the core of its fighting force and resources, devoting only a part of its capacities and manpower to asymmetrical warfare.

[2] See S/2012/544, annex 2.2, para. 12.

17. Furthermore, internal dissensions have had no impact on the ability of Al-Shabaab to conduct operations in Somalia. Disagreements over power-sharing and resources, which invariably cause tensions among the top leaders, are dealt with at the highest level of the *shura* (council). A broad sense of unity is maintained in the organization by calls to arms to maintain constant pressure on AMISOM, federal and regional security forces and their allied militias, and by employing guerrilla-type tactics, techniques and procedures. Nevertheless, a scenario in which the Al-Shabaab military structure dissolves into its component factions cannot be ruled out.

18. In this context, Ahmed Godane's leadership of Al-Shabaab remains largely unchallenged. He has reportedly strengthened his direct control of the *Amniyat*, known as the "secret service" of Al-Shabaab. Financial and technical resources are increasingly concentrated in the *Amniyat* and it commands the attention of Godane, who seems to be neglecting the military apparatus and its leaders, possibly as a result of public disagreements over strategy and objectives. *Amniyat* functions mostly independently from the rest of Al-Shabaab, through its own chain of command, logistics network and financial resources. It therefore has the capacity to operate discretely, gather intelligence and strike effectively throughout Somalia, specifically in areas under AMISOM/Federal Government of Somalia control, spreading fear even within Al-Shabaab.

19. However, Godane is facing a new wave of public discontent from within the *shura*. On 29 April 2013, a *fatwa* was published online, allegedly instigated by Mukhtar Robow, Hassan Dahir Aweys, Ibrahim "Al-Afghani", Zubair "Al-Muhajir" and Mo'alim Burhan, condemning attempts to assassinate Omar Hammami, a.k.a. "Abu Mansour Al-Amriki", and declaring that "there is no obedience to the Emir if it is an act of disobedience to Allah".[3]

20. Some of these leaders, represented by Robow and Aweys, are considered to be part of the nationalistic wing of Al-Shabaab, yet they confronted Godane in defence of "Al-Amriki", today still the main public figure of the international jihadist movement in Somalia. Therefore, to interpret divisions within Al-Shabaab in binary terms — between nationalists and internationalists — is misleading and simplistic. Al-Shabaab has always had a primarily national focus and its internal situation is quite complex.

21. During its mandate, the Monitoring Group had access to a wide range of sources on Al-Shabaab, including confidential daily intelligence reports, classified analytical reports and confidential security reports from international organizations and non-governmental and private actors. In particular, the Monitoring Group interviewed Al-Shabaab defectors and prisoners in Somalia, who provided first-hand testimonies about the organization, its structure and modus operandi.

22. Annex 1.1 includes two maps depicting the evolution of Al-Shabaab's areas of influence and control in southern and central Somalia between 30 August 2012 and 6 May 2013, and a breakdown of security incidents related to Al-Shabaab activity in Somalia.

[3] "Fatwa regarding the attempt to assassinate Abu Mansour al-Amriki", accessed at http://aljahad.com/vb/index.php on 30 April 2013. Reportedly, "Al Afghani" and Sheikh Aweys have also individually and publicly criticized Godane's leadership, in a letter to Ayman al-Zawahiri on 10 April 2013 and an audio message on the situation in Somalia on 17 May 2013.

23. Annex 1.2 outlines the three main components of Al-Shabaab's structure: first, its political body, the *shura*; second, its military component, which is on the defensive but still significant; and third, its clandestine service, the *Amniyat*, which is increasingly responsible for the acts threatening peace, security and stability in the areas under the control of AMISOM and Government of Somalia security forces, their allied militias and regional administrations.

24. Annex 1.3 describes the recruitment and training capacities of Al-Shabaab.

25. Annex 1.4 assesses the current status of foreign fighters within the organization, and the tension between Al-Shabaab's public image in the jihadist community and the reality of isolation experienced by foreign fighters who join the organization in Somalia.

26. Annex 1.5 documents the tactics, techniques and procedures of Al-Shabaab.

27. Annex 1.6 presents the media strategy of Al-Shabaab.

28. Annex 1.7 includes a case study of the presence and operations of Al-Shabaab in "Puntland", where it constitutes the main challenge to peace, security and stability.

B. Al-Shabaab as a regional and international threat

29. Since the previous report of the Monitoring Group (S/2012/544), issued in July 2012, Al Hijra, formerly known as the Muslim Youth Centre, has suffered significant setbacks, as has its ally Al-Shabaab. The setbacks experienced by Al Hijra have impeded the threat capacity of Al-Shabaab in East Africa and affected the strategic-operational link between the two groups.[4] While Al-Shabaab experienced military reverses in Somalia, across the border in Kenya, Al Hijra members were plagued by unexplained killings, disappearances, continuous "catch and release" arrest raids and operational disruptions under the "Al-Shabaab/East Africa Al-Qaida Disruption Initiative".[5] For instance, on 27 August 2012, the ideological leader of Al Hijra, Sheikh Aboud Rogo Mohammed, was inexplicably killed in Mombasa, Kenya, a month after the Committee designated him for targeted measures.[6] In addition, active Al Hijra members who have disappeared include one of its "Amirs", Sylvester Opiyo (a.k.a. "Musa Osodo"), in May 2012 and senior figures such as Jeremiah Onyango Okumu and Steven Mwanzia Osaka (a.k.a. "Duda Black" and "Duda Brown", respectively) in June 2012.[7]

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[4] S/2012/544, annex 3.1 (strictly confidential). Credible testimonies from serving and former Al Hijra fighters and documents attributed to senior Al-Shabaab figures, such as Ibrahim al-Afghani, have indicated that Al-Shabaab expected to exploit its strong ties with extremist groups in Kenya and the United Republic of Tanzania to facilitate its external operations. See also www.sabahionline.com/en_GB/articles/hoa/articles/features/2013/04/12/feature-01.

[5] The Monitoring Group is aware of an initiative funded by the Government of the United States, called "Al-Shabaab/East Africa Al-Qaida Disruption Initiative" whose purpose is to assist East African security services in combating terrorism.

[6] While the extent of his involvement remains unclear, Aboud Rogo seems linked to the United Kingdom national Michael Olumide Adebolajo, who is accused of killing a British service officer on 22 May 2013.

[7] www.opensocietyfoundations.org/sites/default/files/counterterrorism-human-rights-abuses-kenya-uganda-20130403.pdf. Credible evidence suggests that Al Hijra members who have disappeared or been inexplicably killed were indirectly linked to attacks or assisted in the recruitment of non-Somali Kenyans to join Al-Shabaab.

30. Towards the end of 2012, Al Hijra's difficulties became more evident and were compounded by the fractious state of Al-Shabaab in Somalia and its loss of Kismaayo, a known Al Hijra area of operation. Not only was Al Hijra's ability to radicalize and recruit new fighters to be sent to Somalia weakened, but its operational ability to pursue its declared war inside Kenya on behalf and in support of Al-Shabaab declined. One Al Hijra fighter claimed that a number of his fellow combatants returning to Kenya had become anxious about the lack of effective coordination between Al-Shabaab and Al Hijra's "Amir" based in Somalia, Ahmad Iman Ali.[8]

31. Despite the setbacks, Al Hijra, like Al-Shabaab, is striving to remain a credible threat to peace and security both in Somalia and outside. As an operational priority, it is strengthening its ties to the Ansar Muslim Youth Centre in the United Republic of Tanzania[9] as part of Al-Shabaab's broader external campaign. It is also establishing strong logistical links to Al-Shabaab affiliates in Rwanda and Burundi.[10]

32. The lingering influence and leadership of Ahmad Iman, also Al-Shabaab's representative for Kenya, inspired a wave of attacks by grenade and improvised explosive device across Kenya, mostly against the local population. While this approach has had marginal success, both Al-Shabaab and Ahmad Iman have repeatedly called from Somalia for sustained attacks in the region and particularly in Kenya.[11]

33. Probably owing to its limited success and the rather kinetic approach to counter-terrorism taken by the Kenyan security services, Al Hijra, in partnership with the Ansar Muslim Youth Centre in the United Republic of Tanzania, has sought operational direction and guidance since the latter part of 2012 from individuals with former ties to Al-Qaida in East Africa and self-styled Al-Qaida affiliates, including Abubakar Shariff Ahmed "Makaburi" and United Kingdom national Jermaine John Grant.[12] "Makaburi" has exerted a growing influence over Al Hijra and is determined to redirect the group's resources and manpower from hitting "soft targets" to conducting complex, large-scale attacks in Kenya on behalf and in support of Al-Shabaab. Meanwhile, Jermaine John Grant, confined in prison, has effectively provided assistance, albeit remotely, to ongoing plots involving both Al Hijra and "Makaburi".

34. Over the years, Al Hijra in Kenya and its Somalia-based fighters have proven adept at mobilizing resources for Al-Shabaab activities in Somalia and the region. As detailed previously by the Monitoring Group,[13] the Pumwani Riyadha Mosque Committee has played a clandestine role and continues to provide financial support to Al Hijra, particularly its fighters returning from Somalia to Kenya. In some cases,

[8] Confidential report dated 20 January 2013 describing, inter alia, the experiences of Al Hijra fighters based in Somalia, archived with the United Nations.

[9] Evidence also suggests linkages between Al Hijra and a loose-knit Tanzanian extremist group known as "Uamusho".

[10] The Monitoring Group has received corroborating information that indicates that Al-Shabaab affiliates in Rwanda and Burundi are in contact with some Al Hijra members and associates in Kenya.

[11] https://soundcloud.com/swali-mohamed/brother-ahmad-iman-the.

[12] During an interview with Kenyan security services in Mombasa on 19 and 25 December 2011, Jermaine John Grant admitted to being a member of Al-Qaida and not Al-Shabaab.

[13] S/2012/544, annex 3.1 (strictly confidential).

this support has been earmarked for attacks on behalf and in support of Al-Shabaab. During the mandate, a change was observed in attitude between the Pumwani Riyadha Mosque Committee and Al Hijra as a result of the new Kenya Prevention of Terrorism Act (2012).[14] However, information and evidence suggests that funding of Al Hijra activities on behalf Al-Shabaab persists.

35. In addition to the Pumwani Riyadha Mosque Committee as its conventional source of funding, Al Hijra seems to have benefitted from an increasing number of "goodwill donations" from "Makaburi" and other key contributors from the Muslim community in Kenya to carry out attacks on behalf of Al-Shabaab.[15] In addition, Al Hijra has received similar financial assistance from overseas.

36. Despite its public and firm denial of funding or assisting recruitment for Al-Shabaab, the Pumwani Riyadha Mosque Committee continues to view its support of Al-Shabaab through Al Hijra as a religious obligation.[16] On 31 July 2012, a Committee worker was arrested in Nairobi after collecting a package sent from China at the offices of DHL. The package contained civilian-use items, including car key alarms and laser range finders, which are commonly used in the assembly of improvised explosive devices.[17] Such items are stored in the offices of the Pumwani Riyadha Mosque Committee located at the Pumwani Riyadha Mosque before being distributed, including to Somalia for Al-Shabaab attacks. In October 2012, following passage of the Kenya Prevention of Terrorism Act (2012), a Committee official employed at the Kenyan Parliament, Ali Abdulmajid (a.k.a. Ali Bodie), began to encourage and advise the Committee on ways and means of concealing its support to Al-Shabaab through Al Hijra.[18]

37. Furthermore, the Monitoring Group has learned of the collusion between the Pumwani Riyadha Mosque Committee and Al Hijra's Nairobi-based "Amir", Issa Mugai "Carragher", in supporting Al Hijra fighters sent back from Somalia to Kenya by Ahmad Iman and Al-Shabaab to conduct violent attacks. "Carragher", a "journalist" with the Dutch-run *African Slum Journal* in Nairobi, provided material support to these fighters with the financial assistance of the Pumwani Riyadha Mosque Committee.[19]

38. During an interview on 20 March 2013, "Carragher" denied to the Monitoring Group that he had ever been a member of MYC (Al Hijra) and claimed that the "MYC is dead."[20] However, "Carragher" did admit to being "on the Committee" and attending the MYC-Pumwani Riyadha Mosque Committee *shura* (meeting) of 28 February 2012. This *shura* had been arranged to consider the reorganization of

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[14] www.nation.co.ke/News/Kibaki-assents-to-anti-terrorism-bill/-/1056/1532392/-/twbf2x/-/index.html.

[15] The Monitoring Group is aware that "Mzee" Mohamed Fundi, an Al Hijra elder, and Zaina Fundi, a trustee of the Pumwani Riyadha Mosque Committee, have also donated funds to Al Hijra.

[16] Interviews with former Al Hijra members and officials of the Pumwani Riyadha Mosque Committee, September-December 2012.

[17] Evidence indicates that these components are mainly procured from China as civilian-use items.

[18] Interview with confidential source inside the Pumwani Riyadha Mosque Committee with knowledge of its daily activities, 15 December 2012.

[19] On 10 April 2013, the Monitoring Group sent an e-mail to the Netherlands office of *African Slum Journal* requesting a meeting to discuss the relationship of Issa Mugai "Carragher" with Al Hijra and Al-Shabaab. No response was forthcoming.

[20] Monitoring Group interview with Issa Mugai "Carragher" in the presence of an independent observer, 20 March 2013.

the Muslim Youth Centre, in which the Pumwani Riyadha Mosque Committee agreed to continue funding the Centre on condition that it change its name as a security precaution. Furthermore, "Carragher" denied to the Monitoring Group any involvement in Al-Shabaab-related activities, including supporting fighters returning from Somalia to Kenya. When asked about one such case in which Tuwa Ibrahim Jibril "Tafawa" received assistance during an operation in Kenya, "Carragher" conceded that he had met "Tafawa" and members of his cell by chance at a football match.[21]

39. A detailed assessment of Al Hijra activities on behalf and in support of Al-Shabaab is included in annex 3.1 to the present report (strictly confidential).

C. Spoiler networks in Somalia

40. The Monitoring Group has identified various spoiler networks in northern, central and southern Somalia, as well as in connection with the Somali security services. Webs of association among pirates, prominent businessmen, warlords and Government officials often intersect with Al-Shabaab networks. The activities of these spoilers are subverting the efforts of the Federal Government leaders, regional authorities and their partners to restore functional, stable government in Somalia.

Northern Somalia

41. With the decline of pirate activity generally, in northern Somalia a number of criminal networks are reverting to prior, familiar patterns of illicit behaviour, including armed protection of fishing activities and illegal fishing, arms trafficking, human trafficking and even trans-shipping of narcotics. As the Monitoring Group has repeatedly noted in prior reports, such networks have penetrated and distorted Government institutions in northern Somalia, but have also emerged as distinct networks of their own, which continue to benefit from statelessness and the war economy and represent a threat to peace and security in Somalia.

42. The Monitoring Group has identified a network of individuals, including known pirate leaders, who are engaged in providing private security for unlicensed fishing vessels in Somali waters and are connected to weapons smuggling and Al-Shabaab networks in north-eastern Somalia. This overall network is organized principally along two separate but connected clan networks, and facilitated by a web of prominent Somali businessmen operating enterprises out of "Puntland", "Somaliland" and a number of Gulf States, with connections to Iranian businessmen.

43. Cases documented by the Monitoring Group demonstrate the regression of the piracy business network back towards the criminal activity of illegal fishing, which has also been reported to facilitate other forms of contraband, including weapons smuggling. Clan connections between illegal fishing networks and Al-Shabaab in north-eastern Somalia provide opportunities for the Al-Shabaab leadership there to obtain a steady flow of weapons and explosives, particularly originating from criminal networks in Yemen (see annex 3.1).

[21] Ibid.

Central Somalia

44. Under the pretext of restoring political stability and security in the east-central region of "Galmudug", a "former" Mogadishu warlord, Abdi Hassan Awale "Qeybdiid", has returned to prominence by appropriating political power and instigating clan conflict. In addition, the increasing instability in "Galmudug" continues to subvert the leadership of the Federal Government in Mogadishu and represents a potential threat to peace and security in "Puntland".

45. The inability of "Galmudug" to reach a political settlement between its two contending "presidents" and the absence of effective governance has resulted in clan militias fighting over such issues as taxation at illegal checkpoints. In some cases, suspected members of Al-Shabaab have exploited these checkpoints in order to transit the area during movements between southern and northern Somalia (see annex 3.2).

Southern Somalia

46. Narrow clan and individual interests are overriding attempts by the Federal Government to reconcile warring factions, break up Al-Shabaab and extend a balanced authority over regional administrations. In particular, there are two core groups of spoilers in southern Somalia, one aligned against the Federal Government and one largely aligned in favour of it. The key spoiler in opposition to the Federal Government is Sheikh Ahmed Mohamed Islam "Madobe". Spoilers broadly aligned with the Federal Government include Hawiye/Habar Gedir/Ayr warlords and their allies in the Darod/Marehan network of Barre Hiiraale. Each of these spoiler groups has interests that intersect with those of Al-Shabaab.

47. Since late September 2012, the Federal Government of Somalia has encountered considerable resistance from the Ras Kamboni forces of Sheikh Ahmed Mohamed Islam "Madobe", who helped oust Al-Shabaab from Kismaayo and then established his own political and armed presence in the area with Kenyan military support. The refusal of Ras Kamboni to integrate into official Somali security services has rightly led the Federal Government to regard Ras Kamboni as a spoiler clan militia operating outside the purview of the national Constitution, and therefore constituting a threat to peace and security.

48. The second group of spoilers in southern Somalia is subverting the efforts of the Federal Government leadership and its partners to extend the reach of Government authority and stabilize the country, particularly in Kismaayo. This group includes former warlords and militia leaders who have benefited from years of statelessness and the war economy. Some have co-opted, or been co-opted by Government officials for personal or political gain, while others appear to have connections to Al-Shabaab. In addition, members of this spoiler network have retained private weapons stocks and applied undue pressure on the Federal Government to obtain preferential treatment in the distribution of arms and logistics supplies. Other members of the network have promoted clan agendas in their opposition to the formation of a regional administration in Jubaland and exploited links to Al-Shabaab in support of a military build up around Kismaayo (see annex 3.3).

49. The relations of the Federal Government of Somalia with such individuals have coincided with negotiations, in part facilitated by Qatar, between the Government and elements of Hizbul Islam and Al-Shabaab that are related to this spoiler network. Negotiating with actors related to listed entities such as Hizbul Islam and Al-Shabaab may contradict Security Council decisions to designate and prohibit support for them. Moreover, even if the Security Council broadly support Federal Government of Somalia attempts at co-opting and pacifying former warring parties as part of a programme of reconciliation, the Monitoring Group is concerned that individual spoilers in this particular network of former warring parties are using the platform of closer relations with the Federal Government to pursue narrow individual interests that already appear to be contributing to threats to peace and security in the southern regions of Somalia.

50. Furthermore, the Monitoring Group has obtained evidence of Eritrean support to this spoiler network. Eritrea has established direct relations with key individuals who act as agents of Asmara's influence rather than in support of Federal Government institutions. The net effect of Eritrea's engagement is to undermine the processes of Government decision-making, subvert cohesion and disrupt the Federal Government's relations both internally and externally (see annex 3.3 to the present report, and the Eritrea report of the Monitoring Group (S/2013/)).

Spoiler networks and the Somali security services

51. The Monitoring Group has received consistent information from a number of sources within the Government of Somalia and its security services relating to the use of Al-Shabaab agents by officials and former officials of the Government. In addition, the Monitoring Group has received information relating to the infiltration of Al-Shabaab networks into the National Intelligence and Security Agency of Somalia (see annex 3.4).

D. Piracy and kidnap for ransom

Overview

52. For the past decade, the Monitoring Group has reported extensively on Somali piracy.[22] It has mapped how piracy grew out of a kind of protection racket in response to illegal fishing and toxic waste dumping, and evolved into a money-driven, clan-based, transnational organized crime, constituting a threat to global shipping. It has described the factors that made Somalia an ideal context for the growth of piracy and identified some of the individuals who exploited and benefitted from the phenomenon, both in and outside Somalia.[23] It has profiled networks and pirate groups, and explained their operational model and ingredients for success. While it has reported on the worldwide counter-piracy initiatives and efforts to curb the global threat, it has also highlighted the inability and even unwillingness of the Somali leadership and the international community to hold

[22] See the reports of the Monitoring Group at www.un.org/sc/committees/751/mongroup.shtml.

[23] The long absence of a central government, the high level of corruption embedded in all layers of society, the struggle against the extremist and terrorist movement Al-Shabaab, the harsh environment, the lack of viable education and employment opportunities and the dominance of a clan-based society are all elements that contributed to Somalia becoming an ideal place for the growth and expansion of Somali piracy in its current form.

accountable those responsible for organizing, financing and facilitating this multimillion-dollar business.[24]

53. Today, it appears that the heyday of Somali piracy may be over. During 2012, the number of successful attacks by Somali pirates continued to decline, with 14 registered hijackings.[25] This trend, already apparent in 2011, can largely be attributed to the increasing use of private maritime security companies on board merchant vessels and the ability of international naval forces to contain the operational environment.[26] Also, the number of incidents of attempted attacks decreased dramatically from 237 to 75, a nearly 70 per cent drop in comparison to the record year of 2011.[27] In the first quarter of 2013, the trend has continued, with only five incidents registered, including the hijacking of a Yemeni dhow.[28]

54. In 2012, Somali pirates extorted and received an estimated US$ 31.75 million in ransom payouts.[29] Today, one merchant vessel, six fishing vessels or dhows and at least 60 individuals remain held by Somali pirates, both on land and at sea.[30]

55. While pirate operations have declined in number and become smaller in scale,[31] they have not come to an end entirely. Attacks are still occasionally reported, such as on 2 April 2013 when the Sierra Leone-flagged general cargo vessel *Alpha Kirawira* was attacked some 13 nautical miles south of Barawe. Eight armed men in a white-coloured skiff powered by two Yamaha Enduro outboard engines chased and fired at the merchant ship. The security team on board responded by firing several warning shots. The pirates subsequently aborted the attack[32] (see annex 4.1).

56. Unable to hijack merchant vessels and incapable of sustaining the long-term, highly successful piracy business model that generated millions of dollars extorted from shipowners over the past eight years, Harardhere pirate kingpins Mohamed Abdi Hassan "Afweyne" and Mohamed Osman Mohamed "Gafanje" have denounced

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[24] Since 2005, according to the World Bank, 149 ships have reportedly been held for ransom, for an estimated total of US$ 315 million to US$ 385 million. In addition, the World Bank has stated that piracy has cost a yearly average of US$ 18 billion to world trade. See www.worldbank.org/content/dam/Worldbank/document/Africa/Somalia/pirates-of-somalia-infographic.pdf.

[25] The 14 hijackings include 9 dhows/fishing vessels.

[26] Improvements in the implementation of best management practices by the shipping industry and more effective international counter-piracy naval operations, including the disruption of pirate logistics on land, have also greatly contributed to the decreasing success rate of Somali pirates.

[27] www.icc-ccs.org/news/836-piracy-falls-in-2012-but-seas-off-east-and-west-africa-remain-dangerous-says-imb.

[28] The Yemeni dhow *Nader* was hijacked on 8 March 2013. The crew and Somali security team on board were released but the vessel remains in pirate custody. Another dhow, the *Saad1*, was briefly hijacked on 28 March 2013, but was rescued by the Turkish naval vessel *Gökova*.

[29] See http://oceansbeyondpiracy.org/sites/default/files/ecop2012twopager_1.pdf.

[30] All are held exclusively in the hands of pirates belonging to the Hobyo-Harardhere pirate network. They include 54 remaining crew members of the hijacked vessels *Prantalay 12* (4), *Asphalt Venture* (7), *Albedo* (15) and *Naham 3* (28), 5 aid workers (2 MSF and 3 International Aid Services) and 1 journalist.

[31] Up to early May 2013, there were no attacks registered beyond 400 nautical miles off the coast of Somalia.

[32] On 5 June 2013, naval forces also confirmed the hijacking of the Indian-flagged dhow *Shahe Faize Noori* some 96 nautical miles north-east of Bosasso. The vessel and crew were safely released on the same day.

piracy and claimed to have quit the business. On 9 January 2013, they appeared in a press conference in Adado organized by the self-proclaimed "President" of the Himan and Heeb region, Mohamed Abdullahi Mohamed Aden "Tiiceey".[33]

57. Following the press conference, on 19 January 2013, a small delegation of Hobyo-Harardhere pirate leaders, including Afweyne, his son and Gafanje, reportedly travelled by air from Adado to Mogadishu to meet with senior officials of the Federal Government of Somalia. Their aim was to negotiate and explore the possibility of an agreement entailing amnesty and immunity in exchange for what was rumoured to be the immediate release of all hostages, in addition to other incentives. Subsequently, an agreement and attempt to release hostages in return for an alleged payment of US$ 2 million from the Federal Government failed. Reported misappropriation of the funds and disagreement among pirate groups resulted in fierce fighting in Galkaayo, during which one pirate negotiator was killed on or about 17 February 2013.[34]

58. On 28 February 2013, President Hassan Sheikh Mohamud issued an official letter indicating that the Federal Government of Somalia had conducted "indirect" negotiations with the pirates through "the elders" and confirmed his intention to offer an amnesty for "young" pirates, without further specifics. The letter also mentioned that "negotiations" were still at an early stage, but that the intended agreement would not apply to the pirate "kingpins" (see annex 4.2).

59. The Monitoring Group is concerned about the lack of transparency of these ongoing negotiations and by the vagueness and simplified terms of the President's letter. The steps described by the President could lead towards a general policy of amnesty for Somali piracy. It is an oversimplification to limit a complex transnational organized crime to "kingpins" and "young boys", even if it is a strategy for bringing accountability, prosecution and punishment to bear in a difficult situation.

60. Furthermore, the Monitoring Group has followed closely developments in "Puntland" and noted that the Puntland Maritime Police Force has increasingly intervened in maritime-related incidents.[35] This included the rescue of 22 crew members on board the stranded merchant vessel Iceberg 1, which had been held in pirate custody for almost three years.[36] While the owner of the vessel claims that the operation had been staged following a financial agreement between the Government of Yemen, the "Puntland" administration and the pirates holding the vessel, he has not substantiated these allegations. However, it remains unclear what motivated the Puntland Maritime Police Force to intervene particularly in December 2012, while the vessel had been stranded less than one nautical mile off the shore since November 2011, and why the Force has not intervened in other hijacking cases.[37]

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[33] www.qubanaha.com/2013/01/09/hogaamiyiye-maxamed-cabdi-afweyne-iyo-koxdiisa-burcadbadeedka-soomaaliya-oo-ku-wadhaaqay-in-ay-ka-baxeen-howlihii-burcadbadeednimada-sawiro/.

[34] Information obtained from a reliable regional law enforcement source, 20 February 2013, and a Western diplomat based in Nairobi, 20 February 2013.

[35] http://dunidaonline.com/index.php?id=8065; www.raxanreeb.com/2013/04/ciidamadda-badda-puntland-pmpf-oo-gacan-kusoo-dhigay-kalluumeysato-u-dhalatay-dalka-iiraan-sawirrodhageyso/.

[36] The Ro-Ro cargo vessel *Iceberg 1* (IMO 7429102) and its 25-member crew was hijacked on 29 March 2010.

[37] These include the hijacked maritime tankers *Royal Grace* (2 March 2012) and the *Smyrni* (10 May 2012).

61. The "Puntland" piracy network capitalized on the last ships it held when it released the maritime tankers *Royal Grace* and *Smyrni* on 8 and 10 March 2013, respectively.[38]

62. Meanwhile, the apparent trend in kidnap for ransom, which increased in September 2011 with the involvement of Somali pirates, has not continued and incidents are infrequently registered. For example, following the kidnapping by pirates of American journalist Michael Moore Scott on 6 January 2012 in "Galmudug", several international aid workers were abducted in two separate incidents. On 29 June 2012, four Norwegian Refugee Council workers were kidnapped in Dadaab, Kenya, but rescued four days later. On 11 July 2012, three International Aid Services workers were kidnapped in Galkaayo and remain held by Somali pirates (see also annexes 7.1 and 8.1).

Diversification of pirate interests

63. While the decline in reported incidents gives the impression that the piracy business is exhausted, in fact the organized criminal networks and individuals that proved successful in one context are diversifying their financial interests by undertaking different ventures. As described in annex 3.1, networks are adapting to other opportunities, if not actually some of the original precursors to piracy. In this regard, piracy on the high seas may be currently contained, but the networks or individuals that have controlled piracy can easily shift away from or back to piracy in pursuit of prospective returns on investments that can result from the relaxation of private security measures and the withdrawal of international naval forces.

64. Consequently, the Monitoring Group has followed the increasing use of unregulated and untrained Somali security guards to provide armed protection aboard vessels involved in regional trade and/or fishing activities, in potential violation of the arms embargo. For example, in Mogadishu, local authorities, such as the Mogadishu Port Authority (harbour master's office) and the police, are in control of this business. They provide the guards, the weapons and the licences. Shipping companies are charged US$ 500 per armed guard per month and are provided with one-year licences (see annex 4.3). In "Puntland", the enterprise is controlled by private businessmen and linked to illicit maritime activities such as smuggling, illegal fishing and piracy (see annex 3.1), posing a potential threat to regional safety and security.

Judicial challenges

65. To date neither the Somali Government, the "Puntland" administration or any other local authority has seriously prosecuted and jailed any senior pirate leaders, financiers, negotiators or facilitators. The leadership of the principal piracy networks and their associates have continued to enjoy freedom and impunity and have not been hindered in their travel or ability to transfer funds.

66. Working Group 5 of the Contact Group on Piracy off the Coast of Somalia has repeatedly called for coordinated international efforts to identify and disrupt the financial networks of pirate leaders and their investors. However, investigative and judicial responses have been far too limited if existing at all. The lack of political will stems from limited financial resources, jurisdictional barriers, differing national

[38] Both vessels were released after a ransom drop of an undisclosed amount.

interests and agendas and even domestic electoral motivations. Consequently, cooperation between national law enforcement agencies investigating some Somali piracy cases remains poor and is hampered by distrust and competition as much as by judicial restrictions.

67. The continuing decrease in the number of high-profile hijackings will probably weaken any resolve to investigate and prosecute the pirate leadership, in Somalia and abroad, as already indicated by the February 2013 letter of the President of Somalia (see para. 58 above). This, in addition to the perpetual hold on proposed listings of pirate leaders in the Committee, will inevitably lead to impunity for those who made the most profit from and bear the greatest responsibility for an international crime, and who are now pursuing alternative organized criminal activities. Since the passage of time is affecting the quality and accessibility of testimonies and evidence, the Monitoring Group reiterates the urgent need to establish a dedicated group of investigators with the mandate to collect information, gather evidence and record testimonies relating to acts of Somali piracy, including especially the identification of pirate leaders, financiers, negotiators, facilitators, support networks and beneficiaries.

Pirates and facilitators on Facebook

68. As a transnational organized crime, Somali piracy entails more than armed youngsters at sea in small boats attacking ships or providing armed protection aboard hijacked vessels. The piracy business draws on a widespread network of facilitators internationally and inside Somalia from multiple layers of society. In fact, pirates and their accomplices may be bankers, telecommunications agents, businessmen of various kinds, politicians, clan elders, translators or aid workers, all using their regular occupations or positions to facilitate one or another network.

69. Investigations have confirmed that these myriad facilitators are interlinked through various communication channels and employ social network services, such as Facebook.[39] Six profiles of individual cases are included in parts of annex 4 which have been designated as strictly confidential in order to protect possible prosecutions.

E. Public sector financial mismanagement and corruption

70. Despite the change in leadership in Mogadishu and the good-faith efforts of the Minister of Finance, Mohamud Hassan Suleiman, the misappropriation of public resources continues according to past practices and patterns. The system inherited by the new Government is in many ways beyond its control, while at times political decisions and appointments have exacerbated conditions of corruption. Ferocious competition for control of Government at the end of the transition process in the summer of 2012 entailed approaches to campaign financing that took the management of finances outside the public system or contributed to mismanagement through it (see annex 5.1).

[39] Despite repeated official correspondence addressed to Facebook Inc., it has never responded to Monitoring Group requests to discuss information on Facebook accounts belonging to individuals involved in hijackings and hostage-taking.

71. Notably, the efforts of donors to encourage the deposit of Government revenues in the Central Bank proved served a flawed, if technically correct, objective. On average, at least 80 per cent of withdrawals from the Central Bank are made for private purposes and not for the running of Government, representing a patronage system and a set of social relations that defy the institutionalization of the state. The system of *fadlan* (please) in which key leaders authorize individual payments from public funds is fundamental to the distribution of resources within the sphere of Government and contradicts national budgets or structured spending for official bodies. It is not a system that can be changed easily given the breadth of interests at stake at the centre of power and has simply become the way of doing Government business. However, without a legitimate repository for internal and external revenue, efforts to build an effective public financial management system will be undermined. In this context, the fiduciary agency managed by PricewaterhouseCoopers, and intended to serve as a model, was reduced to a transfer agent that could not ensure accountability for funds once they reached the Government of Somalia. Key to irregularities has been the current Governor of the Central Bank, Abdusalam Omer. Indeed, of the US$ 16.9 million transferred by PricewaterhouseCoopers to the Central Bank, US$ 12 million could not be traced (see annex 5.2).

Passport production, corruption and fraud

72. An in-depth investigation into the fraudulent practices associated with the production of Somali passports was presented in the previous report of the Monitoring Group (see S/2012/544, paras. 18-21 and annex 1.2). Since that time, the same practices have continued to undermine the integrity of the Somali passport as a legitimate travel document. Corruption still revolves around the ePassport, with inflated fees charged by private businesses appointed to issue passports in places where Somalia does not have an embassy or consulate. The ePassport programme continues to be controlled by Ambassador Abdulkadir Sheikhey Al-Hatimi, Consul General of the Federal Government of Somalia in Dubai, United Arab Emirates. The revenues generated from the issuance of passports remain unaccounted for. In the past, not one dollar reached the Central Bank. In the first three months of 2013, the Ministry of Immigration, still headed by General Abdullahi Gaafow Mohamud, did make some deposits in the Central Bank, but did not indicate if these were from passports, visas or another source of income. Regardless, the amount deposited constitutes only 4 per cent of the estimated revenue from the issuance of passports alone.

73. In addition, the security and accuracy of Somali passports remains an issue, especially in the absence of biometric data or a reliable database to account for who has already received a passport. Individuals have been able to obtain multiple passports by using false names. Non-citizens of Somalia have also been issued with passports. The existing system can be exploited for illicit or criminal activity (see annex 5.3).

Mogadishu port

74. Income generated from the port of Mogadishu constitutes the largest internal revenue stream for the central Government, aside from bilateral donations from other Governments. However, port revenues, either customs or port fees, have historically been diverted at the source through a variety of practices that continue

today. While control over diversion at the port has taken different forms over the years, invariably the port manager is a key figure. Between September 2010 and July 2012, Sayid Ali Moalim Abdulle served as the port manager, and continues to exert influence through the deputy port manager, Ahmed Abdi Kariye (a.k.a. Ahmed Qorqor). The Monitoring Group has documented at least one case in which Sayid Ali diverted US$ 3,415,840 from humanitarian shipments during the Somali famine in 2011.

75. Based on analysis of activity at Mogadishu port, the monthly revenue potential from import customs alone is in excess of US$ 3.8 million per month. However, the average monthly deposit in the Central Bank from the port between August 2012 and March 2013 was US$ 2.7 million in total. While deposits of port revenues into the Central Bank increased generally, they are proportionally less than the increase in shipping at Mogadishu port, possibly indicating a higher rate of diversion. At present, at least 33 per cent of monthly port revenues cannot be accounted for (see annex 5.4).

Petroleum sector

76. The Monitoring Group has gathered information on growing commercial interest in Somalia's oil and gas sector and has identified a number of conflicts of interest that could constitute threats to peace and security as well as exacerbate the risks of corruption.

77. There is currently growing hostility between the Federal Government of Somalia and regional administrations that have signed oil deals independently of the Government. Divergence between the 2008 petroleum law — which is invoked by Federal Government petroleum officials — and Somalia's Constitution is exacerbating this hostility. The Monitoring Group has identified potential flashpoints between regional authorities with self-declared administrations and local armed forces, notably in the areas of Sool and Sanag, between "Somaliland", "Puntland" and the self-declared Khatumo State. In addition, oil industry activity in "Galmudug" occurs in a context of political instability and strong clan rivalries over natural resources in the Mudug region. A territorial dispute between Somalia and Kenya, given the existing conflict over power-sharing in "Jubaland", could also represent a possible threat to peace and security.

78. In addition, there is a potential conflict of interest between Norway's oil concerns and its support for the establishment of an exclusive economic zone that would almost certainly lead to a modification in Somalia's maritime boundary in favour of Kenya. Serious limitations in the management of the Somali Petroleum Company and the Somali Petroleum Authority require urgent capacity development in order to safeguard their integrity and transparency and to mitigate their possible capture by private interests.

79. In the absence of clear constitutional agreements between federal and regional governments and the introduction of best-practice transparency mechanisms for the management of signature fees and royalties and taxes on future oil production, oil companies should cease and desist negotiations with Somali authorities or risk fuelling non-transparent practices and political disagreements that could exacerbate clan conflict and constitute threats to peace and security (see annex 5.5 and para. 176 below).

III. Violations of the arms embargo[40]

A. Arms shipments to Somalia

80. In tracking the chain of custody for arms shipments to Somalia, the Monitoring Group gathered extensive evidence from several governments and authorities, both Somali and foreign, identifying and documenting general trends, key arms embargo violations and the logistics of the weapons supply chain.

81. Between July 2012 and February 2013, security forces in "Puntland" seized several cargoes reportedly destined for Al-Shabaab. In particular, two cargoes of arms typical of current trends were captured in the Bari region, "Puntland". The Monitoring Group has established Yemen as a principal source for these shipments and it further investigated networks of weapons smugglers receiving such cargoes in "Puntland" and "Somaliland".

82. Al-Shabaab and associated weapons smuggling networks have access to delivery points across the northern coast of Somalia and to a lesser extent along the coast of central and southern Somalia. The Monitoring Group obtained consistent and credible reports of deliveries from as far west as Hiis, in "Somaliland", to Qandala and Alula in "Puntland", and the central Somali ports of El Der, specifically its twin ports of Ego and Mareeg, as well as the ports of Harardhere (Mudug) and Barawe (Lower Shabelle).

83. Deliveries by sea to these coastal locations tend to be for resupplying high-grade technical equipment, notably improvised explosive device components, detonating cords, electric detonators, rocket-propelled grenades systems and light weaponry, such as 7.62 mm PKM-type general-purpose machine guns.

84. The Monitoring Group inspected and documented two particular cases of arms deliveries to northern Somalia, at Alula in July 2012 and Qandala in October 2012. Such cases demonstrate the ability of weapons smuggling networks to mobilize resources while Al-Shabaab undergoes a strategic revamping.

85. The Monitoring Group has also obtained consistent reports and evidence of the export from Somalia of technical knowledge for the manufacture of suicide vests and improvised explosive device materials to Kenya and Uganda.

86. The Monitoring Group has spent considerable time addressing the storage of arms and ammunition at the AMISOM base in Mogadishu and tracing weapons from various origins, including Libya, the Islamic Republic of Iran, the Sudan and the Democratic People's Republic of Korea. The Monitoring Group raised various concerns about the safety of the arms stores, which AMISOM and the United Nations are addressing, and documented violations of the arms embargo on Somalia.

87. In addition, the Monitoring Group investigated suspicious movements of vessels in and around Somalia, including the cases of the motor vessel *Dae San* of the Democratic People's Republic of Korea and the *Jihan 1* detained in Yemen.

88. See annex 6.1 for these case studies.

[40] In paragraph 8 (b) of resolution 1844 (2008), the Security Council prohibited acts that violate the general and complete arms embargo imposed by the Security Council in resolution 733 (1992). Paragraph 43 (b) of resolution 2093 (2013) temporarily amended the scope of this prohibition.

B. Foreign military operations in Somalia

Kenya

89. Despite the success of Kenya's Operation "Linda Nchi" in "liberating" key towns in Sector 2 (Kismaayo),[41] in the course of its current mandate the Monitoring Group has continued to seek and obtain clarity on the status of KDF in AMISOM. On 2 June 2012, the Government of Kenya signed a memorandum of understanding with the African Union that would formally integrate KDF into the command and control structures of AMISOM.[42]

90. However, the Monitoring Group has encountered a degree of unwillingness on the part of KDF to clarify its status,[43] despite the fact that its joining AMISOM warrants an exemption from the arms embargo for its presence in Somalia pursuant to Security Council resolution 1772 (2007). The Monitoring Group has mainly been concerned with issues of command and control. As of February 2013, the Monitoring Group continued to receive corroborating reports indicating that the operational presence of KDF in AMISOM was more theoretical than practical.[44]

91. Since October 2012, the explicit instructions of President Hassan Sheikh to AMISOM to keep the port of Kismaayo closed and prevent the export of charcoal have been consistently flouted by KDF/AMISOM.[45] In addition, the Monitoring Group has established that the Sector 2 commander of KDF, Brigadier Anthony M. Ngere, and his subordinates in Kismaayo, in combination with the Ras Kamboni militia, have routinely denied clearance for Government of Somalia officials visiting Kismaayo.[46] On 11 March 2013, the Monitoring Group itself and a delegation of United Nations investigators were prevented from leaving the Kismaayo airport compound. Also, the Monitoring Group observed during its mandate KDF personnel failing to wear the African Union/AMISOM insignia of a troop-contributing country in Somalia. However, the Monitoring Group has lately observed some KDF vehicles and troops displaying the AMISOM/African Union insignia in a concerted effort to demonstrate full integration into AMISOM.[47]

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[41] http://news.xinhuanet.com/english/world/2012-09/28/c_131879418.htm.

[42] http://www.kenyaembassyaddis.org/index.php?option=com_content&view=article&id=155:kenya-signs-memorandum-of-understanding-with-the-african-union-commission-as-resources-and-troop-contributing-country-to-african-union-mission-to-somalia-amisom-2nd-june-2012-in-addis-ababa&catid=4:front-page-stories&Itemid=88.

[43] On 13 February 2013, the Monitoring Group received an official note verbale from the Permanent Mission of Kenya to the United Nations, which attempted, inter alia, to clarify the status of KDF in AMISOM.

[44] On 16 January 2013, the Monitoring Group met in Nairobi with a senior representative of the African Union to discuss various issues relating to the AMISOM presence in Somalia.

[45] Telephone conversation with President Hassan Sheikh Mohamud, 26 October 2012.

[46] http://blogs.aljazeera.com/blog/africa/so-close-yet-so-far-kismayo. Unconfirmed reports from a senior AMISOM official on 25 May 2013 claimed that the Minister of Defence of Somalia was scheduled to travel to Kismaayo on 25 May 2013 but was apparently denied access to Kismaayo by the Sector commander and requested to travel on 26 May 2013. In this regard, the Monitoring Group has confirmed several reports regarding the apparent unilateral actions of the Kenya Defence Forces in Kismaayo.

[47] Monitoring Group visits to Kismaayo in March 2013, as well as interview with a Kismaayo resident on 18 May 2013, in addition to e-mail correspondence with a senior AMISOM official on 11 May 2013.

92. Furthermore, the Monitoring Group notes that the expected deployment to Kismaayo of a Sierra Leonean contingent of 850 troops is still pending as at May 2013. AMISOM officials have confirmed the presence of an advance team of 400 Sierra Leonean troops in Mogadishu,[48] awaiting deployment to Sector 2.[49]

93. The Security Council has not authorized an air component of AMISOM, aside from three attack helicopters and nine utility helicopters. However, before and after integrating into AMISOM, the Government of Kenya has continued to deploy the Kenya Air Force in Somalia, potentially violating the arms embargo despite the provisions contained in paragraph 36 of resolution 2093 (2103).[50]

94. On 7 July 2012, one month after joining AMISOM, KDF resumed unauthorized air strikes in Somalia on Jungal village, 30 kilometres from Baardheere in Sector 2.[51] Recently, in January and February 2013, the spokesman for the Forces, Colonel Cyrus Oguna, confirmed that KDF had conducted more air strikes in the Gedo region to "sustain the pressure against the militants [Al-Shabaab]".[52]

Ethiopia

95. Until the adoption of resolution 2093 (2013), and specifically paragraph 36 which granted a standing exemption to strategic partners of AMISOM, the presence of ENDF in south and central Somalia violated the arms embargo on Somalia. Ethiopian military units maintained fixed positions and conducted operations in Gedo, Bay, Bakol, Hiran and Galgadud regions.[53] Since their arrival in Bay region towards the end of February 2012, ENDF and Al-Shabaab have regularly clashed, especially around Baidoa, but also in the Qansah Dhere area, Bay and around Hudur, Bakol.

96. On 5 January 2012, the African Union Peace and Security Council decided that AMISOM troops would replace ENDF units in areas they liberated from Al-Shabaab. During the course of 2012, a transition from ENDF to AMISOM took place, with a handover to the Burundian contingent in Baidoa and the Djiboutian contingent in Belet Weyne.

97. On 17 March 2013, when Ethiopian units in Hudur town of Bakol region withdrew, it appeared that ENDF was initiating a full-scale departure from Somalia. Somali Government forces and their affiliated militias also withdrew and Al-Shabaab immediately occupied the town, pitting the legality of the ENDF presence against the security vacuum its absence created.

98. The departure of ENDF units from town centres, principally in Bay and Bakol regions, and their redeployment to camps newly established in rural areas, was not only the consequence of tensions between the Governments of Somalia and Ethiopia,

[48] E-mail communication from senior AMISOM official dated 11 May 2013.

[49] http://amisom-au.org/2013/04/amisom-welcomes-deployment-of-sierra-leone-troops/.

[50] AMISOM informed the Monitoring Group in a correspondence dated 25 May 2013, the memorandum of understanding between the Government of Kenya and the African Union authorizes Kenya to deploy the Kenya Air Force but not to conduct air strikes inside Somalia.

[51] http://www.somaliareport.com/index.php/post/3525.

[52] http://panafricannews.blogspot.com/2013/02/kenya-resumes-airstrikes-against-al.html.

[53] Principally around Bardheere, Garbaharay and Luuq towns in Gedo; Baidoa, Qansah Dhere and Goof-Gaduud towns in Bay; Hudur town in Bakol; Belet Weyne town in Hiran; and Guriel in Galgadud.

particularly over the situation in Kismaayo, but a tactical response to growing insurgent attacks against ENDF in urban areas. In addition, the Government of Somalia replaced governors in Bay and Hiran regions with those less favourable to Ethiopia, and ENDF received limited cooperation from local administrations on security matters.

99. On the one hand, Ethiopia prefers to retain command and control of its troops inside Somalia independent of AMISOM, and therefore does not benefit from the exemption to the arms embargo established by Security Council resolution 1772 (2007). On the other hand, Ethiopia is seeking recognition and financial support from donors for its efforts against Al-Shabaab, while such support is currently channelled through AMISOM.

C. Non-compliance

100. During the reporting period, the Monitoring Group has observed significant improvements in terms of compliance with the arms embargo on Somalia. An increasing number of Member States and international and regional organizations requested prior approval of the Committee for their programmes of assistance to Somali security sector institutions or for the exportation to Somalia of non-lethal military equipment.

101. However, a large part of the assistance provided to the Somali security forces involved in counter-insurgency and anti-terrorism operations at the federal and regional levels has not been reported. According to multiple diplomatic and military sources, the Governments of the United States and the United Kingdom are increasingly involved in directly supporting intelligence services in "Somaliland", "Puntland" and Mogadishu, at times in violation of resolutions 733 (1992) and 1425 (2002).

102. From August 2012 to March 2013, the Monitoring Group identified 84 civilian flights operated to Mogadishu and "Puntland" by the United States-based air companies Prescott Support Co. and RAM Air Services, which are connected to United States support to "Puntland" and Mogadishu intelligence services,[54] in comparison to 65 flights counted in the same period of the previous mandate of the Monitoring Group, indicating an increase in United States support.

103. By contrast, from August 2012 to March 2013, the Monitoring Group documented only 29 flights operated to Somalia on behalf of eight States Members of the United Nations, including four flights destined to Berbera airport in "Somaliland", as compared to 79 flights observed over the same period during the previous Monitoring Group mandate. These flights, either of a military nature or apparently connected with support to Somali security forces, represent potential violations of the arms embargo.[55]

104. On 6 March 2013, the Security Council adopted resolution 2093 (2013), which modified the sanctions regime on Somalia, particularly aspects related to the compliance framework. In accordance with the provisions of the new regime, the

[54] See S/2011/433, annex 5.5, paras. 12-15 and S/2012/544, annex 5.5, paras. 53-56.

[55] According to flight plans submitted to the Civil Aviation Caretaker Authority for Somalia between 1 August 2012 and 31 March 2013.

Federal Government of Somalia is authorized for a period of 12 months to inform the Committee directly, on the basis of five days' advance notice, of support and assistance provided to its security forces, with the exception of items listed in the annex to the resolution.

105. Notwithstanding the introduction of this new regime, the Committee has not received, as of the time of writing, any notification from the Federal Government of Somalia concerning support and assistance to federal security forces in Somalia, and on 4 June 2013 sent a letter to the Permanent Representative of Somalia to the United Nations recalling that the "Federal Government of Somalia has the primary responsibility for notifying the Committee, at least five days in advance, of any such deliveries".

106. The Monitoring Group is currently investigating credible reports of weapons, ammunition, military equipment and vehicles, including armoured personnel carriers, having been delivered after 6 March 2013 or in the process of being delivered to Mogadishu airport and seaport and destined for the Somali National Army, the Somali Police Forces and private security companies operating in Mogadishu. In the absence of due notification to the Committee, these deliveries would constitute violations of the arms embargo on Somalia and would arguably put in question the commitment of Somali federal authorities to comply with the new sanctions regime, thus possibly undermining the viability and sustainability of the modifications.

107. Incidents of non-compliance are described in annex 6.2.

D. Private security companies

108. The continued development of the private security sector in Somalia remains of concern with respect to the arms embargo on Somalia. The Monitoring Group identified several violations committed by private security companies and contractors operating in Mogadishu, "Somaliland", "Puntland" and "Galmudug", and potentially in Kismaayo.

109. Since 2010, the Monitoring Group has reported on the absence of a robust framework for regulating the security business in Somalia.[56] Despite the end of the transitional period, there are still overlapping authorities ostensibly responsible for the private security sector within the Ministry of the Interior and National Security of the Federal Government. In addition, there are strong indications of conflicts of interest among senior Somali security officials involved in the security business.

110. Furthermore, the modification of the arms embargo pursuant to Security Council resolution 2093 (2013), which grants the Federal Government of Somalia the capacity to notify the Committee regarding support for its public security sector, alters the previous requirement for private security companies to obtain sponsorship of their host Governments vis-à-vis the Committee.[57]

111. Nevertheless, in February 2013, the Dubai-based Tacforce International imported a B6-type armoured vehicle at Mogadishu seaport in violation of the arms

[56] S/2010/91, paras. 219-229; S/2011/433, paras. 168 and 169 and annex 6.1; and S/2012/544, paras. 59 and 60.

[57] On the previous requirement, see S/2010/91, para. 156.

embargo. It did so in full knowledge of breaching the sanctions regime on Somalia, and with the involvement of senior officials within the Ministry of Foreign Affairs and the National Intelligence and Security Agency (see annex 6.2).

112. In "Somaliland", the Monitoring Group observed a new actor, the Olive Group, deploying staff and equipment in support of "Somaliland" police following the signing of an oil production sharing agreement between regional authorities and Genel Energy and its partners (see annex 5.5).

113. In "Puntland", two companies left the region without any known successor. These companies were Sterling Corporate Services, formerly Saracen International, which for two years provided technical and financial assistance and support to the Puntland Maritime Police Force in violation of the sanctions regime on Somalia, and Pathfinder Corporation, previously noted by the Monitoring Group (see S/2012/544, paras. 65-67) for its transparency and efforts to operate in compliance with the sanctions regime.

114. In "Galmudug" Somalia, a private company called Specialist Marine Services Ltd. is providing training and military equipment to the "Galmudug" Armed Forces. The company has deployed a team of five expatriates in Galkayo to deliver "basic military training" and has distributed 600 sets of uniforms, communication equipment and body armour, in violation of the arms embargo on Somalia.

115. In Kismaayo, the United States-based Atlantean Worldwide represented itself to the Monitoring Group as a "life support" company. Meanwhile, it is marketing its presence in Somalia to oil and gas companies with the image of a risk management company, as well as portraying itself to several Nairobi-based diplomats as the "Bancroft of Kismaayo".

116. The activities of these private security companies are detailed in annex 6.3.

IV. Obstruction of humanitarian assistance[58]

117. In 2012, humanitarian agencies continued to respond to the consequences of the 2011 famine and to crisis or near-crisis conditions throughout Somalia. Despite improved access in certain areas of the country, largely as a result of the withdrawal of Al-Shabaab from main cities, access to vulnerable civilians remained a challenge for the humanitarian community, and all parties in Somalia continued to obstruct the provision of humanitarian assistance. Al-Shabaab maintained and expanded its ban on most aid agencies in areas under its control, while all armed actors in Somalia subjected humanitarian organizations to taxation, illegal roadblocks, intimidation and extortion. Moreover, as a consequence of both remote management of humanitarian operations and the culture of "gatekeepers", as previously documented by the Monitoring Group (see S/2012/544), diversion of humanitarian assistance by third parties, as well as by staff and partners of aid organizations, continues to undermine international efforts. The United Nations and non-governmental organizations have

[58] In paragraph 8 (c) of resolution 1844 (2008), the Security Council prohibited acts that obstruct the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia. The Monitoring Group interprets this provision to include the diversion of assistance away from its intended beneficiaries, whether to the advantage of an armed group or simply for the purpose of profit.

adopted limited mechanisms to achieve higher standards of accountability but they are still in evolution.

A. Denial of access and attacks on aid workers

118. Humanitarian agencies must still negotiate access to vulnerable civilians in most of Somalia, with their degree of success depending on the area and the authorities in charge. Al-Shabaab has, in the past two years, banned most international agencies from operating in areas under its control. After a number of expulsions in November 2011 and January 2012 targeting non-governmental organizations, United Nations agencies and the International Committee of the Red Cross, Al-Shabaab banned Islamic Relief in August 2012. In addition, Al-Shabaab continues to impose taxes on the few humanitarian agencies and their staff permitted to operate in its areas. While most international agencies and their partners deny paying taxes directly to Al-Shabaab, creative means are devised to meet Al-Shabaab's demands, such as providing salary increases to national staff to cover the costs.

119. Government forces and affiliated militias also employ methods of extorting money from aid agencies and workers, either by setting up illegal checkpoints or looting assistance intended for vulnerable civilians. Humanitarian access is further impeded by the conduct of hostilities and military operations throughout the country, with rampant insecurity and curfews routinely imposed on whole towns and villages by all parties to the conflict.

120. Somalia is consistently one of the world's most dangerous countries for aid organizations. In 2012, security analysis and monitoring identified over 150 incidents involving aid workers, including a significant number of grenade attacks on agency compounds, carjackings and lootings. On many occasions, Al-Shabaab has specifically targeted or assassinated aid workers, as in the case of the killing of a staff member of FAO in Marka in August 2012. For its part, the Government of Somalia has failed to provide adequate security and protection to agencies operating in areas under its control. One striking example is the killing, in December 2011, of two MSF international staff members by a local Somali employee. Despite being sentenced to 30 years in prison, within weeks the perpetrator was pardoned by then President Sheikh Sharif Sheikh Ahmed.

121. A detailed list of obstructive incidents and attacks on aid workers is included in annex 7.1 (strictly confidential).

B. Diversion and misappropriation of humanitarian assistance

122. Diversion of aid in Somalia goes well beyond the theft of goods or resources destined to vulnerable populations. Indeed, one of the most pernicious forms of diversion continues to involve the phenomenon previously documented by the Monitoring Group (S/2012/544, annex 6.2). Individuals and groups, operating in networks organized to steal from and exploit vulnerable populations, including internally displaced persons, continue to act as "gatekeepers" and ensure that local "pie-cutting" remains an essential component of aid delivery. Consequently, a large proportion of resources do not reach the intended beneficiaries. In addition, some gatekeepers are responsible for grave violations of human rights, including sexual violence and the mistreatment of vulnerable civilians. International assistance often

fuels a cycle of abuse as aid organizations engage with gatekeepers for lack of an alternative. According to a senior United Nations humanitarian official, "Somalia is a protection emergency of endemic proportions, where civilians are held hostage by all of us".[59]

123. Gatekeepers are only one part of the problem. As different parts of Somalia have become more accessible in recent months, ground observations and greater third party monitoring have often revealed shocking truths about the lack of implementation and low quality of programmes. Diversion of resources by staff, partners and contractors has occurred across organizations, including in the highly visible and well-funded cash assistance programmes that rose in prominence during the 2011 famine response. This led the United Nations to blacklist, for instance, a long-time Somali non-governmental partner, the African Rescue Committee, for fraud.

124. A detailed case study of cash assistance programming appears in annex 7.2.a (strictly confidential).

125. Despite the efforts of some aid agencies to achieve greater transparency and accountability, a culture of denial and secrecy continues to exist that prevents the humanitarian community from sharing bad experiences, learning hard lessons and developing common tools. Many donors are responsible for contributing to this culture of silence because of inconsistent responses and reactions to diversion of aid that do not encourage transparency and openness. Aid organizations complain of unfairness when they are asked to assume risks that are well known and tacitly accepted by donors, which leads to opaque reporting about programme implementation (see annex 7.2).

C. Best practices

126. At present, the Risk Management Unit for Somalia is the most substantial effort made by any United Nations country team to mitigate risks of aid delivery. Established in 2011, the Unit supports United Nations development and humanitarian agencies, their partners, donors and other stakeholders by performing several key functions with tools designed to enhance risk management. The Unit undertakes risk monitoring in Somalia upon the request of individual United Nations agencies. Moreover, either on its own initiative or upon request, the Unit conducts risk analysis of United Nations partners and contractors to help inform contracting decisions by the agencies. It also provides risk management training to United Nations staff, partners and donors. Most notably, the Unit established the Contractor Information Management System, a database to facilitate information sharing, enhance due diligence and improve the management of contractors in Somalia.

127. However, participation in the Contractor Information Management System is not mandatory and some of the smaller United Nations agencies have yet to share information about their contractors. The effectiveness of the System also depends on the quality of the information provided by United Nations agencies and on their diligence in updating the database, which some do better than others. Furthermore, since the terms of contracts vary greatly across agencies, many contractors are not required to provide information on their partners or subcontractors, creating a major loophole in the risk management system and undermining its ability to monitor the

[59] Interview with United Nations senior official, Mogadishu, 22 January 2013.

supply chain of implementation, a sensitive issue that had been a main rationale for establishing the Unit in the first place. In addition, United Nations agencies are not obliged to accept the advice generated by the Unit, although it is followed most of the time.

128. Since the Risk Management Unit is exclusively a mechanism for the United Nations country team, non-governmental organizations are not part of its remit, except when they are contracted by a United Nations agency. As a result, non-governmental organizations lack a comparable mechanism to independently assess risk, share information and introduce mitigating measures. The Unit does provide advice and access to risk assessments to non-governmental organizations, but to date such assistance has been ad hoc owing to resource and mandate constraints. Ultimately, non-governmental organizations will need to establish their own community-wide approach to due diligence.

V. Violations of international humanitarian law[60]

129. Throughout Somalia, all parties to the conflict continue to violate international humanitarian law and human rights standards. During the current mandate of the Monitoring Group, military operations and guerrilla warfare across the country caused significant harm to civilians. In 2012, the World Health Organization recorded 6,680 civilian casualties treated in four hospitals in Mogadishu who suffered weapons-related injuries, many due to the use of improvised explosive devices by Al-Shabaab. Data collected by human rights and humanitarian agencies demonstrate that pro-Government forces have also caused civilian casualties as a result of aerial attacks and naval and ground engagement. Meanwhile, gender-based violence remains an endemic phenomenon.

130. United Nations efforts to gather and analyse human rights-related data are greatly impeded by lack of access and resources and the failure of the United Nations Political Office for Somalia to prioritize the human rights agenda. Nevertheless, the Monitoring Group has obtained evidence that the parties in conflict in Somalia have routinely violated Security Council resolution 2060 (2012).

A. Attacks on civilians

131. It is difficult to ascertain the extent to which pro-Government elements use disproportionate or indiscriminate force in the conduct of hostilities, bringing harm to civilians. In addition to the risks of crossfire, protection of civilians is further complicated by the lack of coherent structure and effective command and control within the Somali National Security Forces, which are composed of loosely assembled units and militias. In fact, Government forces and affiliated militias have committed a range of abuses against civilians, including looting in civilian areas, as well as arbitrary arrests and detentions, often for purposes of extortion.

132. AMISOM works closely with government-affiliated militias, instructing them when and where to report for the conduct of military operations, but does so outside

[60] In paragraph 1 (d) and (e) of resolution 2002 (2011), the Security Council prohibited acts that violate applicable international law, including the use of child soldiers, attacks on civilians, sexual and gender-based violence and abduction and forced displacement.

any formal organizational structure. Consequently, AMISOM has a duty to ensure that all forces fighting either directly with or on behalf of the Government of Somalia adhere to international humanitarian law. Yet, AMISOM continues to coordinate military operations with militias it knows are responsible for abuses against civilians. For its part, further to the organization-wide adoption of a human rights due diligence policy in July 2011, the United Nations has a duty to ensure that the entities it is supporting, including AMISOM, respect human rights and international humanitarian law.

133. Al-Shabaab continues to cause significant harm to civilians through its indiscriminate use of weapons. According to available data for 2012, Al-Shabaab increased the use of victim-activated pressure-plate improvised explosive devices, while the reported number of civilian casualties resulting from suicide attacks in Somalia also rose sharply. In addition, Al-Shabaab persistently practises targeted assassinations of civilians accused of spying or as punishment for their apparent allegiances, and systematic intimidation of local communities through restrictions on movement, imposition of taxation and strict application of sharia law.

134. During the current mandate of the Monitoring Group, all armed actors in Somalia attacked schools and hospitals, either as direct targets or for use in the conduct of military operations, in violation of international humanitarian law.

135. A detailed list of incidents of harm to civilians is included in annex 8.1.

136. Furthermore, in 2012, 18 journalists were killed in Somalia, now the second most dangerous country in the world, after the Syrian Arab Republic, for those working in news and information. Journalists and the media were the targets of assassination, intimidation and censorship by all major actors throughout the country.

137. A detailed list of incidents of attacks on journalists and the media is included in annex 8.1.a.

B. Gender-based violence

138. Despite the weakness of human rights monitoring systems, there is significant evidence that sexual violence continues to be widespread in Somalia. Internally displaced women are the most affected group overall. This is because of the overwhelming presence of armed groups and militias in and around over 500 camps for internally displaced persons in Mogadishu, which are populated mostly by women and children.

139. The lack of command and control exerted by central authorities over armed groups and militias remains the most important cause of violence against internally displaced women. The scenarios previously documented by the Monitoring Group (see S/2012/544, annex 7.2) continue to be the norm in Mogadishu, where victims of sexual assault cannot identify the uniforms worn by their attackers and do not know whether they belong to the Somali police, the army or a militia. The predicament of women is compounded by the inability and unwillingness of the police to investigate cases of sexual violence and of the judicial system to prosecute them.

140. Despite public commitments by the President and the Prime Minister of Somalia to address the issue of sexual violence, the central government has to date demonstrated little political will to achieve progress. The well-publicized arrest in

January 2013 of an alleged rape victim, her husband, a journalist who interviewed the woman and others, sent the wrong signal to victims of sexual violence, service providers and activists throughout Somalia. Despite higher courts overturning the convictions, the mishandling of the affair by the authorities and the failure of the police to investigate the original allegation against members of the security forces further reinforced women's reluctance to report cases of sexual violence and seek redress (see annex 8.2 to the present report).

141. Allegations of sexual exploitation and abuse continue to be levelled on a regular basis against AMISOM troops. However, the mission has still not established systems to methodically investigate charges of wrongdoing in a transparent and timely manner.

C. Child soldiers

142. On 3 July 2012, the Transitional Federal Government signed an action plan in which it committed itself to ending the recruitment and use of children in armed conflict. The action plan outlined concrete steps to be taken by the Somali authorities to ensure a "child-free" national army. On 6 August 2012, the Transitional Federal Government signed another action plan to end the killing and maiming of children in armed conflict. This action plan was a response to Security Council resolution 1882 (2009), in which the Council called for concrete and time-bound action plans to halt and prevent the killing and maiming of children by parties listed in the Secretary-General's annual report on children and armed conflict.

143. Nonetheless, the recruitment of children and youth by armed forces in Somalia increased in 2012. In that year the United Nations and its partners, through the UNICEF-led monitoring and reporting mechanism, documented 1,990 cases of recruitment by all armed groups, in comparison to 948 in 2011. While Al-Shabaab is responsible for most cases of child recruitment, all the major parties in conflict in Somalia have inducted children into their ranks. Similarly, United Nations reports on the abduction of children indicate that all armed groups also forcibly remove children from their homes or schools.[61] Al-Shabaab mainly abducts children from schools, playing fields and public halls and screens them for recruitment or sexual exploitation. Pro-government forces abduct children following security operations conducted to root out anti-government elements.

D. Forcible displacement or confinement

144. Somalia ranks third in the world after Afghanistan and Iraq as the country with the largest displaced population. As of April 2013, there were 1,037,554 Somali refugees in the region, hosted mainly in Kenya, Yemen, Egypt, Ethiopia, Eritrea, Djibouti, the United Republic of Tanzania and Uganda, as well as nearly 1.1 million internally displaced Somalis, mostly in the southern and central parts of the country.[62] The vast majority of new displacements also occurred in southern and

[61] UNICEF compiles these reports from information received from United Nations partners through the implementation of the monitoring and reporting mechanism.

[62] See UNHCR Somalia briefing sheet, April 2013, available at http://data.unhcr.org/horn-of-africa/country.php?id=197.

central Somalia. While some individuals left their homes because of drought or for livelihood-related reasons, most fled insecurity and ongoing military operations.

145. Between June and September 2012, more than 3,500 individuals left the port city of Kismaayo as a result of the advance of the KDF contingent of AMISOM in southern Somalia. The majority of those displaced fled to the neighbouring district of Afmadow, while a significant number made their way to Mogadishu. Most of these displacements consisted of individuals who had already been displaced for a considerable time in Kismaayo city. Another 1,500 individuals were displaced during the offensive of the Transitional Federal Government and AMISOM in Marka. In the same period, there were 700 displacements in the Jamaame-Jilib corridor in Middle Juba and over 200 in villages surrounding Kismaayo. Overall, by comparison with previous military offensives in Somalia, movements out of Kismaayo were limited owing to restrictions imposed on the local population by Al-Shabaab attempting to use civilians as human shields, a tactic also used in Marka.[63]

146. Between 1 and 26 September 2012, UNHCR reported that over 12,000 individuals left Kismaayo. Large-scale movements began in mid-September as the KDF contingent and the Somali National Armed Forces neared the city. On 17 September 2012, Al-Shabaab broadcast on its Kismaayo-based radio station, Al-Andalus, a call to arms to fight against KDF/AMISOM and the Somali National Armed Forces. This announcement led to a sudden increase in civilian movements out of the city. According to UNHCR, many of those fleeing were not only escaping conditions of insecurity, but also their use as human shields or forcible recruitment by Al-Shabaab. Indeed, Al-Shabaab was restricting movements and targeting adult males as well as boys in a large-scale recruitment drive to boost its military capacity. Most of the displaced population returned to Kismaayo following the conclusion of the military offensive.[64]

147. On 8 April 2013, UNHCR reported on the impact of the withdrawal of ENDF from Hudur, the regional capital of Bakol. An estimated 2,500 individuals were displaced as Al-Shabaab quickly took control of the town. They followed ENDF troops to the border town of El Barde, where they settled alongside the host community. Local authorities estimated that 250 individuals crossed the border to the Ethiopian village of Muhidle seeking assistance.[65]

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[63] See UNHCR Somalia Kismaayo PMT report, 16 September 2012, available at http://data.unhcr.org/horn-of-africa/documents.php?page=2&view=grid&Country%5B%5D=197.

[64] UNHCR Somalia, Kismaayo Population Movement and Protection Monitoring, 26 September 2012, available at http://data.unhcr.org/horn-of-africa/documents.php?page=2&view=grid&Country%5B%5D=197.

[65] UNHCR Somalia, Hudur flash report, 8 April 2013, available at http://data.unhcr.org/horn-of-africa/documents.php?page=2&view=grid&Country%5B%5D=197.

VI. Violations of the ban on charcoal[66]

148. Following the entry of KDF/AMISOM troops and the Ras Kamboni forces of Madobe into Kismaayo on 28 September 2012, a number of charcoal stockpiles of considerable size were discovered and gained much attention. The stockpile in Kismaayo was estimated to consist of some 4 million sacks of charcoal with an international market value of at least US$ 60 million. Comparable stockpiles were found to exist in Burgabo, Kuday, Anole and Al-Shabaab-controlled Barawe. Throughout October 2012, local charcoal traders, supported by KDF and the African Union, called upon the Security Council to temporarily lift the ban on charcoal in order to clear the stockpiles. However, the objective of the charcoal traders was not a one-time export to recoup investments. Rather, deflecting focus onto the stockpiles was a strategy to maintain the charcoal business indefinitely. Indeed, over the following months, the rate of new charcoal production increased dramatically. Exports of charcoal superseded the scale of the stockpiles, which did not decline in size. Consequently, by far the more critical issue to address was not the stockpiles, but the export of newly produced charcoal driven by interests along the supply chain of the trade.

149. Despite the passage of Security Council resolutions 2072 (2012) and 2073 (2012), which did not lift the ban in any way, KDF, Madobe and his Ras Kamboni forces took a unilateral decision to begin the export of charcoal from Kismaayo by 4 November 2012 in flagrant violation of the ban. Meanwhile, on 2 November 2012, President Hassan Sheikh established a task force to address the charcoal stockpiles. However, on 7 November 2012, KDF, Madobe and his Ras Kamboni forces prevented the task force delegation from leaving Kismaayo airport and the task force was effectively stillborn.

150. See annex 9.1 for an overview of these events.

151. Since November 2012, Somali charcoal has been systematically exported from the KDF/AMISOM/Ras Kamboni-controlled port of Kismaayo and the Al-Shabaab-controlled port of Barawe. In addition, charcoal exports continue from the smaller ports at Buur Gaabo, Anole, Koday and Koyaama, all south of Kismaayo, where stockpiles also exist.

152. The Monitoring Group previously estimated that in 2011 some 9 million to 11 million sacks of charcoal were exported from Somalia, generating annual revenues for Al-Shabaab in excess of US$ 25 million (see S/2012/544, annex 2.1). The Monitoring Group estimates that the rate of export has now risen to some 24 million sacks per year and represents an overall international market value of US$ 360 million to 384 million, with profits divided along the charcoal trade supply chain, including for Al-Shabaab. In other words, the scale of charcoal export from Somalia has increased by 140 per cent. If the current rate of production continues, charcoal exports in 2012-2013 will consume some 10.5 million trees and the area of deforestation will cover 1,750 square kilometres, which is larger than the city of Houston, Texas, in the United States.

[66] In paragraphs 22 and 23 of resolution 2036 (2012), the Security Council prohibited the export and direct or indirect import of charcoal from Somalia and stated that it considered that such commerce might pose a threat to the peace, security or stability of Somalia.

153. At the port of Kismaayo, based on the preponderance of the evidence, the Monitoring Group conservatively estimates that approximately 1 million sacks of charcoal are exported on a monthly basis, with an international market value of US$ 15 million to 16 million. While Al-Shabaab-controlled Barawe is less accessible and more difficult to assess, nevertheless the Monitoring Group estimates that 600,000 to 1 million sacks are loaded for export each month.

154. Among 39 charcoal traders identified by the Monitoring Group in Kismaayo, two individuals linked to Al-Shabaab represent 32 per cent of the charcoal consignments exported since November 2012. In addition to this shareholding at Kismaayo, Al-Shabaab taxes trucks transporting charcoal to Kismaayo. In particular, since charcoal production dramatically increased in February 2013 at Al-Shabaab-controlled Badade district near the Kenyan border, Al-Shabaab has been generating some US$ 675,000 to 1.5 million per month at the Buulo Xaaji checkpoint.

155. Furthermore, the Monitoring Group has identified the six largest charcoal businessmen in Dubai, United Arab Emirates, including the Al-Shabaab-affiliated Saleh Da'ud Abdulla. They import charcoal to a number of member countries of the Gulf Cooperation Council, in particular the United Arab Emirates and Saudi Arabia.

156. Overall, despite the takeover of Kismaayo by KDF/AMISOM and Ras Kamboni forces, the pre-existing charcoal business architecture not only remains intact, but has grown significantly. Notably, Al-Shabaab, its commercial partners and networks remain central to the business locally and internationally. Essentially, the shareholding at Kismaayo has been divided between Al-Shabaab, Ras Kamboni and Kenyan business interests, but the enterprise has grown. The revenue that Al-Shabaab currently derives from its Kismaayo shareholding, its Barawe exports and the taxation of ground transportation likely exceeds the estimated US$ 25 million it generated in charcoal revenues when it controlled Kismaayo. As such, Al-Shabaab has managed to exploit the diversification of interests in the charcoal trade to its advantage.

157. See annex 9.2 for an assessment of the scale of exports from Somalia and the charcoal trade supply chain.

VII. Obstruction of the investigations or work of the Monitoring Group[67]

158. The Security Council prohibition on obstruction of the investigations or work of the Monitoring Group followed a series of physical threats against the members of the Group. The Committee deplored the acts of intimidation and interference with the Group's work in a public statement.[68] The threats emanated from investigations into Somali businessmen involved in the delivery of food assistance (see S/2010/91, para. 238-261). The next available opportunity for the Security Council to enact the prohibition was in its resolution 1907 (2009) of 23 December 2009 introducing the

[67] In paragraph 15 (e) of resolution 1907 (2009), the Security Council prohibited obstruction of the investigations or work of the Monitoring Group.

[68] See press release SC/9813-AFR/1919 of 11 December 2009 at www.un.org/News/Press/docs/2009/sc9813.doc.htm. See also Jeffrey Gettleman, "U.N. experts get threats in inquiry into Somalia", *The New York Times*, 13 December 2009.

Eritrean sanctions regime, though the Monitoring Group understands the provision to apply to its activities in both Somalia and Eritrea.

159. Generally, the higher-risk investigations of the Monitoring Group have been those that may affect individual financial interests in Somalia. With the explicit inclusion of the misappropriation of financial resources in the mandate of the Monitoring Group pursuant to Security Council resolution 2002 (2011), the number of such high-risk investigations has increased. The previous report of the Monitoring Group (S/2012/544) was the first to issue findings under this expanded mandate. Subsequently, individuals labelled as sources of information for the Monitoring Group, whether in fact they were or not, have been assassinated, threatened or intimated. Falsely accusing an individual of being a source of the Monitoring Group is itself an emerging form of intimidation. Consequently, following consultations with the Committee, the Monitoring Group interprets paragraph 15 (e) of resolution 1907 (2009) to include such acts as eligible for targeted measures.

160. In this regard, the Monitoring Group is aware of at least two individuals who were assassinated because they had allegedly provided information to the Monitoring Group about corruption in the Transitional Federal Government. On 19 July 2012, unknown assailants shot and killed Mohamed Ali Hussein, the Deputy Director-General of the Ministry of Finance. Similarly, on 4 August 2012, unknown assailants gunned down Ibrahim Iman Halane, the general manager of Mogadishu airport. Al-Shabaab was blamed for the attacks. However, security services in Somalia that investigated these as well as other killings attribute responsibility to Artan Abdi Ibrahim "Bidar" and his associate, Fathi Sheikh Muhudin, who are understood to operate hit squads for hire (see annex 3.4 to the present report).

161. In its previous report (see S/2012/544, annex 1.2), the Monitoring Group undertook an investigation into corruption and fraud surrounding the production of Somali national passports that named General Abdullahi Gaafow Mohamud, the Director of Immigration and Naturalization in the Transitional Federal Government. Following the publication of the report, in mid-August 2012, General Gaafow organized the arrest of Abdi Barre Jibriil, the former Deputy Director of Immigration and a United States citizen, for allegedly assisting the Monitoring Group's investigation. In detention, several soldiers physically assaulted Mr. Jibriil under the direction of General Gaafow. Gaafow further threatened to shoot Mr. Jibriil if he did not sign a document denying any statements made to the Monitoring Group. Because of international press coverage, pressure from "Puntland" elders and diplomatic intervention, Jibriil was eventually released on 1 September 2012. Although elected as a Member of Parliament, Jibriil continues to live in fear for his safety (see annex 5.3).

162. General Gaafow has also been responsible for threatening and intimidating a named source in the same investigation, Sanjivan Mukherjee, the owner of Just Solution Limited, which had been contracted by the Transitional Federal Government to produce passports. In addition to direct taunts from General Gaafow, Mukherjee and his wife have received threatening telephone calls in the middle of the night. On one occasion, four Somali males surrounded Mukherjee in the parking lot of his office in Nairobi and threatened to kill him if he did not apologize to the Government of Somalia for speaking to the Monitoring Group. Mukherjee and his family currently live in fear for their safety.

VIII. Sanctions list

163. On 23 August 2012, the Committee approved a revised list of individuals and entities subject to the travel ban, assets freeze and targeted arms embargo imposed by the Security Council in paragraphs 1, 3 and 7 of its resolution 1844 (2008). This list now includes 13 individuals and 1 entity.

164. On 25 July 2012, the Committee approved the addition of Aboud Rogo Mohammed to the sanctions list. The ideological leader of Al Hijra (formerly known as the Muslim Youth Centre), based in Kenya, Mr. Rogo threatened the peace, security or stability of Somalia by providing financial, material, logistical or technical support to Al-Shabaab, an entity listed by the Committee. However, on 27 August 2012, Mr. Rogo was killed under unexplained circumstances in Mombasa, Kenya. The Monitoring Group has recommended to the Committee that Mr. Rogo be kept on the sanctions list pending clarity about his assets and given the ongoing investigations into Al Hijra and the activities of Mr. Rogo's former associates.

165. On 23 August 2012, the Committee approved the addition of Abubaker Shariff Ahmed to the sanctions list. A close associate of Mr. Rogo, Abubaker Shariff Ahmed is a leading facilitator and recruiter of young Kenyan Muslims for violent militant activity in Somalia and has provided material support to extremist groups in Kenya and elsewhere in East Africa, including Al-Shabaab. He is currently exerting a dominant influence over Al Hijra and intensifying his activities.

166. Pursuant to paragraph 13 (g) of resolution 2060 (2012), the Monitoring Group continues to refine and update information on the draft list of those individuals and entities that engage in acts as described in paragraph 1 of resolution 2060 (2012).

IX. State and non-State cooperation with the Monitoring Group

167. Prior to the adoption of Security Council resolution 2093 (2013), the Monitoring Group observed an improved level of compliance with the arms embargo in terms of notification of the Committee. At the same time, during its current mandate, the Monitoring Group received a notable decrease in the level of cooperation from Member States, with only half replying to its enquiries. Several members of the Security Council have either not replied to official correspondence or not provided the information requested.

168. The Government of the United Arab Emirates, labelled as a "non-cooperative Member-State" in previous reports of the Monitoring Group, has for the first time notified the Committee and also replied to certain requests concerning compliance issues. On the other hand, other specific requests concerning individuals and entities relevant to investigations conducted by the Monitoring Group, particularly in the Emirate of Dubai, remained unanswered.

169. By contrast, the Monitoring Group has received a significant rate of positive responses from private entities, with the exception of the United States-based company Facebook, which has not provided any information requested despite repeated correspondence. In addition, the Monitoring Group has received active and comprehensive support from some private entities, such as PricewaterhouseCoopers Associates Africa Limited.

170. Meanwhile, despite the request made by the Security Council in paragraph 9 of resolution 2060 (2012) for enhanced cooperation, coordination and information sharing between the Monitoring Group and humanitarian organizations, the cooperation of the international humanitarian community continues to be tenuous at best. Regarding issues of diversion of humanitarian assistance, United Nations agencies and non-governmental organizations are concerned that cooperation with the Monitoring Group can have implications for programming, including funding cuts and threats from local authorities. Consequently, only a small number of agencies have been forthcoming with information, often requesting that their names not be disclosed. Other agencies approached by the Monitoring Group with specific concerns and provided with significant evidence have made it clear that they cannot and will not terminate a contractual agreement if a contractor is understood to be performing satisfactorily and the Security Council has not designated the contractor for targeted measures. This is the case even if, contrary to due diligence, evidence demonstrates the contractor's involvement with armed groups or organized crime.

171. The mandate of the Monitoring Group to investigate applicable violations of international humanitarian law also necessitates cooperation from United Nations agencies and civil society groups, since access in Somalia is severely restricted and sensitive information is often obtained by entities with a permanent presence in areas where violations are taking place. In particular, UNICEF manages the Somalia-wide monitoring and reporting mechanism, which involves a network of international and local non-governmental organizations collecting information on issues of direct concern to the Monitoring Group, including grave violations of children's rights. Despite repeated requests, the Monitoring Group was unable to obtain monitoring and reporting mechanism data from UNICEF regarding perpetrators to assist in its investigations. Concerns over security of sources and victims, as well as a lack of clarity about the content and status of the mechanism's data, have impeded the ability of the Monitoring Group to establish accountability for violations of the sanctions regime related to international humanitarian law.

172. Separately, the Monitoring Group would like to express its appreciation for the consistent support received from the President, the Prime Minister and the Minister of Finance and Planning of the Federal Government of Somalia. Despite the good faith efforts of the leadership, cooperation at lower levels of administration was not always forthcoming. For instance, Kamal Hassan Gutale, the Chief of Staff of the President, regularly and unnecessarily obstructed relations between the Monitoring Group and the Federal Government. Also, the National Intelligence and Security Agency has refused to cooperate with the Monitoring Group on such issues as updating information on individuals and entities under targeted sanctions or identification of new names of individuals or entities for submission to the Committee pursuant to resolution 2060 (2012).

173. In addition, the Monitoring Group appreciates the efforts of authorities in "Puntland" for facilitating missions to Garowe and Bossasso on four occasions, providing access to weapons, ammunition and improvised explosive device components seized during security operations, and sharing information on individuals and entities involved in violating the sanctions regime on Somalia.

174. Notably, the Monitoring Group would like to express its sincerest gratitude to the Government of Kenya for hosting its presence at the United Nations Office at Nairobi and facilitating its work and investigations. However, coordination with

Government authorities would be greatly enhanced by the appointment of a focal point for the Monitoring Group.

175. Finally, the Monitoring Group wishes to acknowledge the staff of the Department of Safety and Security of the Secretariat in New York, Kenya, Somalia and the United Republic of Tanzania for their remarkable support during the course of the current mandate.

X. Recommendations

A. Threats to peace and security

176. The Monitoring Group recommends that:

(a) The Security Council request the Federal Government of Somalia and regional authorities in Somalia to urgently address gaps between constitutional, legislative and regulatory provisions as they relate to the management of the hydrocarbons sector, and call upon donors and/or the World Bank to provide technical assistance for a number of tasks which may include:

(i) The formation of a representative Somali national commission to harmonize constitutional, legal, fiscal and regulatory provisions related to the management of natural resources and associated revenue collection;

(ii) The creation of a neutral and transparent government body, supported by donors and external legal advisers, which is mandated to manage and publish the award of oil contracts and any payments made to federal and/or regional authorities, and which is supervised by the Federal Government of Somalia and regional authorities;

(b) The Security Council recommend that the Federal Government of Somalia, including regional administrations, avoid signing contracts with oil and gas companies in Somalia until appropriate constitutional, legislative, fiscal and regulatory provisions have been clarified and agreed to by the Federal Government and its regional authorities;

(c) The Security Council, in light of continued misappropriation of public resources in the Federal Government of Somalia, consider again the establishment of a joint international and Somali approach to management of public resources.

B. Piracy

177. The Monitoring Group recommends that:

(a) The Security Council reconsider the urgent need to establish a dedicated group of investigators with a mandate to collect information, gather evidence and record testimonies relating to acts of Somali piracy, including and especially the identification of pirate leaders, financiers, negotiators, facilitators, support networks and beneficiaries;

(b) The Security Council continue to encourage the Federal Government of Somalia to identify, arrest and prosecute all individuals who, for the past decade, have been involved in organizing and facilitating acts of piracy;

(c) The Security Council encourage the Federal Government of Somalia to require telecommunication and banking companies in Somalia to provide effective registration and identification of individuals holding telephones and bank accounts, in order to facilitate investigations against spoilers and criminal networks;

(d) The Security Council consider making explicit reference, in its next resolutions on Somalia and piracy, to the Monitoring Group's responsibility of investigating and identifying key individuals responsible for acts of piracy off the coast of Somalia, as well as the movement and investment of piracy proceeds, and call upon Governments, international organizations and national law enforcement agencies to share evidence and information with a view to the arrest and prosecution of senior pirate leaders and their associates, or to their designation for targeted measures.

C. Arms embargo violations

178. The Monitoring Group recommends that:

(a) The Security Council recommend to the European Union, NATO, the Combined Maritime Forces and Member States currently engaged in counter-piracy operations in the Gulf of Aden and the Indian Ocean to expand the mandates of those naval forces to enforce the arms embargoes on Somalia and Eritrea through boarding and inspection of vessels suspected of smuggling weapons and illegal fishing;

(b) The Security Council explicitly clarify whether the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated by paragraphs 1 and 2 of resolution 1425 (2002) are to be applied to deliveries of weapons or military equipment or the provision of assistance intended solely to provide security, escort and protection services in Somalia to personnel from the international diplomatic community;

(c) The Security Council consider, for its next resolution on Somalia, consolidating and summarizing the existing provisions for exemptions from the arms embargo, currently included in multiple resolutions, into a comprehensive, single exemption framework;

(d) The Committee urge the Federal Government of Somalia to take all necessary steps to:

(i) Formally clarify to the Committee the actual structure and membership of the security forces of the Federal Government of Somalia to determine which entities can be supported in accordance with paragraphs 33, 38 and 39 (a) of resolution 2093 (2013);

(ii) Report to the Committee on measures it has formally taken to ensure the safe management of arms and ammunition, including their registration, distribution, use and maintenance, and identify its training and infrastructure needs, in accordance with paragraph 39 (c) of resolution 2093 (2013);

(e) The Security Council request AMISOM to provide United Nations experts with complete physical and documentary access to its arms and ammunition stores, including those from the United Nations Mine Action Service and the Panel of Experts on Libya established pursuant to Security Council resolution 1874 (2009).

D. Obstruction of humanitarian assistance

179. The Monitoring Group recommends that:

(a) The Security Council call upon the Federal Government of Somalia to monitor, investigate and prosecute attacks on aid workers, including illegal taxation and intimidation by its security forces, and hold perpetrators to account;

(b) The Security Council request the United Nations Resident and Humanitarian Coordinator for Somalia or his successor to ensure, with the assistance of the Risk Management Unit, that all United Nations agencies working in Somalia have similar contractual clauses with their contractors, with the following requirements:

(i) All contractors should have a contractual obligation to disclose subcontractor arrangements;

(ii) All contractors and subcontractors should have contractual obligations to support an investigations process by providing information and evidence;

(iii) All contracts should include standard provisions regarding due diligence and restitution obligations by contractors and subcontractors, including termination clauses;

(iv) All contracts should include a clause enabling termination should contractors, subcontractors or vendors be found in violation of Security Council resolutions on Somalia;

(c) The Security Council request the Resident and Humanitarian Coordinator for Somalia or his successor to encourage increased coordination between the Risk Management Unit and non-governmental organizations, and ensure that the Risk Management Unit assists non-governmental organizations in moving towards establishing a unified risk management approach and system;

(d) The Security Council request all donors in Somalia to adopt a consistent approach to diversion and fraud through minimum standards of due diligence and monitoring for their grantees, incentives for grantees that implement them and a non-punitive approach to reporting on diversion;

(e) The Security Council provide additional resources to the Monitoring Group in the form of an additional expert given the scope of the mandate of the Monitoring Group with regard to obstruction of humanitarian assistance and violations of applicable international law as specified in paragraph 1 (c), (d) and (e) of resolution 2002 (2011) and reaffirmed in resolution 2060 (2012).

E. Violations of international humanitarian law

180. The Monitoring Group recommends that:

(a) The Committee send a letter to AMISOM reminding it not to commit, support or enable violations of international humanitarian law, including through its operational cooperation with pro-government militias;

(b) The Security Council reiterate its request to AMISOM to execute, in a timely, transparent and efficient manner, the request made by the Security Council in

paragraphs 14 and 15 of resolution 2093 (2012) to prevent and address allegations of misconduct, including sexual violence and sexual exploitation and abuse;

(c) The Security Council encourage the Federal Government of Somalia to work with the relevant United Nations agencies to increase ability of the police and the judiciary to address allegations of sexual violence, and in particular, to systematically investigate all reports of sexual violence, including by security forces, and to hold perpetrators to account;

(d) The Committee request the Resident and Humanitarian Coordinator or his successor to work with UNICEF to ensure that protection data deriving from the UNICEF-managed monitoring and reporting mechanism is shared with the UNSOM human rights group to enable monitoring, follow-up action and accountability for grave violations of human rights in Somalia.

F. Violations of the ban on charcoal

181. The Monitoring Group recommends that:

(a) The Committee establish guidance for Member States for environmentally responsible destruction of interdicted charcoal as a disincentive to the illicit trade in charcoal;

(b) The Committee, further to paragraph 22 of Security Council resolution 2036 (2012), encourage all Member States importing charcoal, and in particular the United Arab Emirates and Saudi Arabia, to immediately take the necessary measures to prevent the direct or indirect import of charcoal from Somalia;

(c) The Committee remind AMISOM of its obligation to prevent the export of charcoal from Somalia, pursuant to resolution 2036 (2012).

G. Sanctions list

182. The Monitoring Group recommends that the Committee proceed without delay to designate for targeted measures:

(a) Al Hijra leaders in Somalia and members in Kenya in addition to the financier of Al Hijra, the Pumwani Riyadha Mosque Committee;

(b) The leadership of the "Mujahidiin of the Golis Mountains", or Al-Shabaab North East;

(c) Known pirates and their associates identified by the Monitoring Group or Member States;

(d) Individuals and entities involved in charcoal trading, including Saleh Da'ud Abdulla.

Annex 1

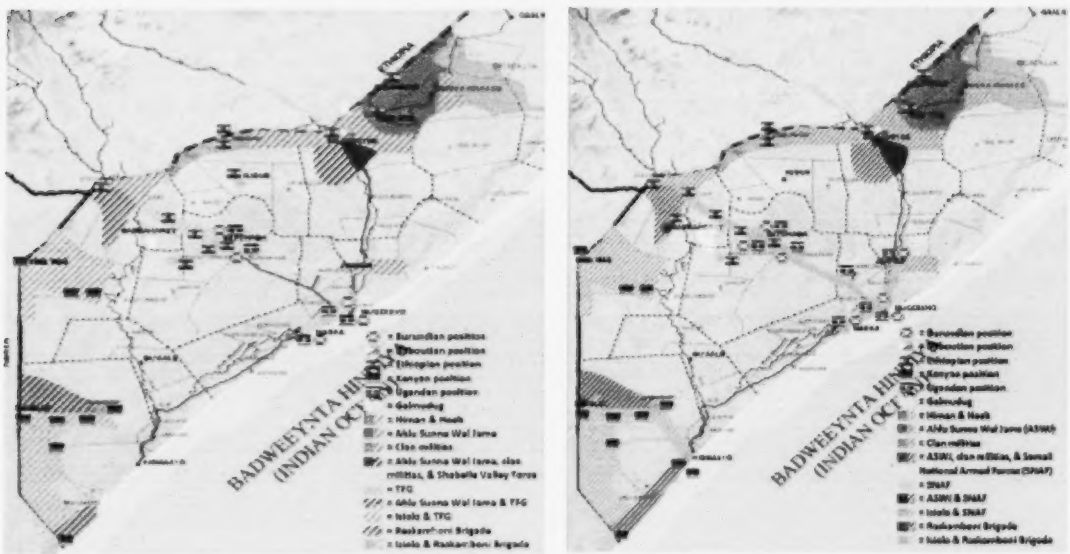
Harakaat al-Shabaab al-Mujaahidiin

Annex 1.1.: Al-Shabaab areas of control and influence, and security incidents related to Al-Shabaab

Al-Shabaab areas of control and influence

1. At present, Al-Shabaab remains in control of most of southern and central Somalia, including the entire region of Middle Juba, most of Hiran, Bay and Bakol regions, and sizeable parts of Galgadud, and Lower and Middle Shabelle regions.

Areas of control and influence in southern and central Somalia on 30 August 2012 (left) and on 6 May 2013 (right); the uncoloured areas are under the control of Al-Shabaab, while stripped areas are under partial influence[1]



2. The main differences in terms of areas of control and influence between the map dated 30 August 2012 on the left and the one dated 6 May 2013 on the right, are the capture by AMISOM of Kismayo (Lower Juba), Jowhar (Middle Shabelle), and the former Air Force base of Baledogley (Lower Shabelle), and the take-over by Al-Shabaab of Hudur, the capital of the Bakol region of Somalia, after the withdrawal of Ethiopian troops to El Barde (Bakol) and Ethiopia on 17 March 2013.

[1] Maps included in confidential UN security reports.

Security incidents related to Al-Shabaab

3. The monthly average of security incidents attributed to Al-Shabaab in southern and central Somalia has increased between the end of 2012 and early 2013, as indicated in the table below.[2]

Period	Abduction	Ambush/ Combat/ Hit and run attack/ Indirect fire attack	IED	Assassination	Grenade attack	Total	Average of security incidents per month
October-December 2012	4	70	22	43	39	178	59.3
January-March 2013	2	78	34	52	26	192	64

4. According to these figures, the number of military attacks (ambushes, combat, hit-and-run and artillery/mortar attacks), IED incidents and assassinations has increased, respectively, by 11.42 %, 54.5 % and 20.9 % between October-December 2012 and January-March 2013.

[2] Data provided by a United Nations specialised department compiling statistics related to security, email communication, 7 May 2013. Archived with the UN.

Annex 1.2.: Al-Shabaab structure

1. The structure of Al-Shabaab is characterized by its idiosyncratic complexity, which is one of its main strengths and perhaps explains in part the durability of Ahmed Godane's leadership. The structure includes several key elements:

- A strong centralized command combined with decentralised operational capacities;
- An official structure, with senior commanders well known to the public holding figurehead positions, and a military operational structure that is more flexible, clan-oriented and less visible;
- An underlying structure, the *Amniyat*, which integrates the functions of a secret police, responsible for counter-intelligence and political control, and a clandestine special operations unit conducting assassinations and suicide attacks; and
- An ability to pursue both local and national agendas, while still being part of an international jihadist organization with regional objectives.

2. This complexity, however, obscures the actual nature of the decision-making process within Al-Shabaab. On the one hand, for security reasons, Godane has a limited ability to participate in meetings, move freely and communicate by telephone and radio; on the other hand, there are public disagreements at the level of the *Shura* between Godane and the principal military and spiritual leaders of Al-Shabaab, namely Hassan Dahir Aweys, Mukhtar Robow, Ibrahim 'Al-Afghani' and Fu'ad 'Shongole'.

The *Shura*

3. The *Shura* constitutes Al-Shabaab's council of ministers. It is likely the only political arena in which some form of opposition to Godane can to a certain extent be expressed. The most important figures of the Somali jihadist movement, and the main leaders of the Islamic Court Unions who rejected the Djibouti agreement in December 2008, including former Hizbul Islam leaders, belong to the *Shura*. However, its composition is not fixed and fluctuates. Information about its members varies by date and different sources.

Potential composition of the Shura of Al-Shabaab

4. The Monitoring Group has received conflicting reports about the role in the past couple of years of the *Shura* as Al-Shabaab's decision-making body. According to the testimony of an Al-Shabab defector interviewed by the Monitoring Group, the last meeting of the *Shura* in which decisions were taken by 16 of its members was in December 2010, in Bulo Mareer, Lower Shabelle region of Somalia.[1] Thereafter, a combination of mistrust amongst the top leadership, and fear that disagreements over strategy could lead to targeted strikes, may have prevented physical meetings of its members from being convened.[2]

5. During the months of April and May 2013, three key members of the *Shura* have publicly expressed their disagreement with Godane, and called for the reestablishment of the *Shura* as a decision-making body for Al-Shabaab.

6. First, an "Open Letter to Our Amir Sheikh Ayman Al-Zawahiri", attributed to Ibrahim 'Al-Afghani' "on behalf of the silent majority" of Al-Shabaab fighters, dismisses the *Shura* and criticizes the autocratic leadership style of Godane:

[1] Interview with an Al-Shabaab defector, Garowe, 11 November 2012.
[2] Ibid.

> [The Amir] takes decisions in a secret fashion without legitimate known reasons. This is the end of what remains of the Movement's administration, and incidentally, this council [the *shura*] is a name with no meaning.[3]

7. Furthermore, 'Al-Afghani' calls for more "justice" within Al-Shabaab, and appeals to Godane to resolve internal conflicts through the *Sharia* court of the organisation, to stop "spilling the blood of the mujahideen", and "not to take revenge with unjust arrests, but instead to release those who were unjustly arrested" and currently jailed in "several types of secret prisons that are for the Emir". If the letter is genuine, it indicates perhaps that Godane may have centralized most of Al-Shabaab's executive powers to the detriment of the *Shura* and its members.

8. Second, the introduction to an audio recording released by a *jihadist* forum on 11 May 2013 and credited to the main figure of the international *mujahidin* in Somalia, Omar Hammami 'Abu Mansur Al-Amriki', also refers to attempts to revive the *Shura* and resolve internal issues:

> Allah is the Witness that we tried to end these disagreements secretly and then publicly for many years. I was a member in the Shura Council of the Al-Shabaab movement since its inception with Saleh al-Nabhan[4] and other emigrants and local supporters, and then they put on me the responsibility of the position of the Deputy Shura Emir and the position of the Emir of the Shura Committee, and in spite of that we didn't find any use in the reform attempts.[5]

9. Lastly, on 17 May 2013, another audio file was posted on a *jihadist* forum by the Islamic World Issues Study Center (IWISC), and described as the recording of a press conference of Hassan Dahir Aweys about the current situation in Somalia, in which he declares that:

> The result of abandoning the Shura is despotism and dictatorship. Allah had vilified Pharaoh for such a despotic mentality in His words: "I show you only that which I see, and I guide you only to the path of right policy!" [From Ghafir 40:29]
>
> The abandonment of the Shura also resulted in the suspension of the administrative structures and the marginalizing of the Ummah, its scholars and its elites, and that resulted also in weakening the domestic lines and making people go away from it. [...].
>
> Thus, the mujahideen and the Muslim Somali people must bear their responsibility and do their duty that is made incumbent on them by Allah, while strengthening these important elements: Shariah, Shura and then organized administration.

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[3] "An Open Letter to Our Sheikh and Emir Sheikh Ayman al-Zawahiri", accessed at http://www.ansar1.info/forumdisplay.php?f=31 on 10 April 2013. See also annex 2.1.a for a summary of the letter with a specific focus on Kenya and Tanzania.

[4] Notably, Saleh Ali Saleh Nabhan was accused by the FBI of being a senior Al-Qaida operative in East Africa and one of the instigators of the terrorist attacks in Kenya in 2002. He was killed on 14 September 2009 in a helicopter raid reportedly conducted by US Special Forces.

[5] Accessed at http://www.iwisc.net/vb/showthread.php?t=619 on 2 June 2013.

10. Aweys also quotes a *hadith* recalling its audience that "Allah ordered His Prophet to use Shura to endear the hearts of his Companions and for them to follow his example in matters where there is no clear revelation".[6]

11. In addition, Aweys condemns the "pressure, slander, assassination" of foreign *mujahidin*, and "launching raids against them", in a clear reference to recent events targeting 'Al-Amriki'. He also denounces, echoing the text attributed to 'Al-Afghani', the "law of the jungle" ruling Al-Shabaab, a consequence according to him of the decline of its unconditional obedience to the *Sharia*.

12. Internal dissensions amongst Al-Shabaab's top leadership have had no impact so far on its ability to conduct operations in Somalia. Nevertheless, a scenario in which Al-Shabaab's military structure dissolves into its component factions is still possible, which could subsequently result in the creation of a new type of clan-based fiefdoms in Somalia, controlled then by Islamist warlords.

Military structure

13. The military apparatus of Al-Shabaab appears to be under the strong influence of Fu'ad 'Shongole' and Mukhtar Robow, generally, and Abdirahman 'Filow' in Lower Juba and Sheikh Yusuf Sheikh Isse (a.k.a. 'Kabakutukade') in Middle Shabelle. These commanders reportedly hold key positions in the military structure, despite apparent tensions at the political level. On a daily basis, they are involved in recruitment, movements of fighters, as well as providing instructions for military ground operations throughout southern and central Somalia.

[6] Accessed at http://www.iwisc.net/vb/showthread.php?t=621 on 2 June 2013. Transcript and translation provided by SITE Monitoring service, "Shabaab Official Aweys Speaks on Group's Internal Issues, Losing Ground", 17 May 2013.

Reportedly the structure of Al-Shabaab's military apparatus

14. The basic military unit of Shabaab is an extremely mobile platoon-size group of between 20 and 30 fighters, each armed with Kalashnikov-pattern assault rifles and hand grenades. An average of a dozen fighters also carry mid-range weaponry, including PKM-type machineguns and rocket-propelled grenade systems (RPGs). In some propaganda videos, Al-Shabaab displays some fighters carrying Dragonov-type sniper rifles, although reports of sniper attacks are not frequent, except in the Juba region.[7]

15. Al-Shabaab platoon-sized units conduct primarily *Kamiinah* (guerrilla) type operations and *Jukta Culus* (hit-and-run) type attacks. In a message posted on 22 February 2012, the administrator of @saud_khalifaa, one of the Twitter accounts which used to promote Al-Shabaab on the internet,[8] summarized the current military strategy of the organisation:

> The enemy advances, we retreat; the enemy camps, we harass; the enemy tires, we attack; He retreats, we pursue.

[7] See annex 1.2.a. for Al-Shabaab propaganda photographs taken during a military parade in Barawe, which took place according to Shabaab-related media on 29 April 2013.

[8] See annex 1.6. for Al-Shabaab's media strategy.

16. Therefore this strategy is not intended to recapture lost positions. Rather, Al-Shabaab aims at "fixing" AMISOM and government troops, and their allied militias, on multiple fronts. This disperses their resources and manpower and multiplies the number of necessary supply routes, which are amongst Al-Shabaab's preferred targets. Such a military strategy has an important psychological impact, and gives the impression that Al-Shabaab is more pervasive than it is, seeming to be able to operate anywhere at anytime.

17. Al-Shabaab tactics, techniques and procedures are further detailed in annex 1.5.

Case study: Al-Shabaab in Jowhar, Middle Shabelle region of Somalia

The Monitoring Group was given access by a military intelligence source to contact records of interviews conducted in November 2012 with a group of ten Al-Shabaab defectors from Middle Shabelle. They were part of a larger group of 249 men who defected to AMISOM on 22 September 2012 in Garsaale neighbourhood, with 74 AK47-type assault rifles, 4 G3-type assault rifles, magazines, one pistol and one handgrenade. Al-Shabaab vacated Jowhar on 7 December 2012, a couple of days after AMISOM and Somali Armed Forces took control of the town.[9]

Presumed Al-Shabaab fighters surrendering to AMISOM in Garsaale, Middle Shabelle, on 22 September 2012[10]

The defectors were mainly youth recruited among the Bantu community, also known as *Jareer Weyne*, composed of farmers settled for centuries along the banks of the Shabelle River. Most of the fighters allegedly joined the movement in order to protect their families from possible attacks, since they belong to a minority clan. They said they feared that the Al-Shabaab members from the more powerful Abgal and Gaaljeel clans, prominent within Al-Shabaab in this region, would take their land. Somali media reported

[9] Email communication, 29 January 2013.
[10] See annex 1.2.b. for additional photographs.

on hundreds of youth from the Bantu communities being forcibly paraded in Jowhar on 16 March 2012, after being recruited by Al-Shabaab.[11]

According to their testimonies, in September 2012, Al-Shabaab forces in Jowhar and its surrounding areas, headquartered at Jowhar Police Station, totalled 280 fighters divided into three different components:

- *Hisbah* unit (a.k.a. *al-Hisbah*, or *aysh al-Hisbah*) of 150 fighters, responsible for implementing the Shari'a, community policing, and manning checkpoints;
- *Zakawat* unit (a.k.a. the "extortion unit") of 33 fighters, responsible for the collection of local taxes, considered by Al-Shabaab propaganda to be a religious obligation, in reference to compulsory *zakat* to support the *jihad*; and
- *Jabhad* forces (a.k.a. the "revolutionary front"), a 100-strong mobile military unit, equipped with three pick-up trucks mounted with 12.7 millimetre "Dushka" anti-aircraft machine-guns.

The Al-Shabaab forces were under the command of the governor of Middle Shabelle, Sheikh Yusuf Isse 'Kabakutukade' (Hawiye / Abgaal). The wage paid by Al-Shabaab to its fighters was a minimum of 100 USD and a maximum of 500 USD, depending upon clan affiliation and seniority. Furthermore, at a ratio of 1 *Hisbah* fighter per 400 inhabitants, Al-Shabaab policing of Jowhar corresponded to an international standard for securing public places and buildings.[12]

According to the defectors, the *Zakawat* units were collecting from checkpoints and businesses an average of 25,000 USD per day, or 750,000 USD per month. The town of Jowhar, the regional capital with an estimated population of 60,000 inhabitants, is ideally located in a fertile area known for its sugarcane plantations, on the main road connecting Mogadishu to the North of the country. If accurate, these figures would indicate that Al-Shabaab has drastically increased its level of taxation in areas under its control as compared to data collected and presented by the Monitoring Group in its 2011 report, even accounting for the growth of the Somali economy.[13]

Amniyat

18. The *Amniyat* is the special clandestine division of Al-Shabaab, under the direct leadership of Ahmed Godane and operational command of Mahad Mohamed Ali, a.k.a. 'Karate'.[14] Indicating the significance of the *Amniyat* inside the organisation to the detriment of its military apparatus, Karate is also considered by to be the Amir's deputy.[15] *Amniyat*

[11] "Somali MP says Al-Shabab forcing youth to join battle", BBC monitoring citing Jowhar website, 17 March 2012.

[12] According to the International Centre for the Prevention of Crime website, accessed at http://www.crime-prevention-intl.org/ on 1 May 2013.

[13] See S/2011/433, paragraphs 60 to 68.

[14] Other aliases of Mahad Mohamed Ali include Mahad Mohammed Haashi and Mahad Warsame Qalley. However, according to the US State Department programme of Rewards for Justice, the head of *Amniyat* is Zakariya Ismail Ahmed Hersi, a.k.a. Zaki Madobe or Ahmed Diriye, accessed at http://www.rewardsforjustice.net/index.cfm?page=hersi&language=english on 6 May 2013.

[15] Meeting with a military intelligence source, Nairobi, 30 April 2013.

combines a wide range of responsibilities, ranging from intelligence gathering and counter-intelligence to clandestine and special operations.

19. The structure of the *Amniyat* is understood to be organized as follows:

- Central command;
- Regional commanders;
- Finance and logistics support units;
- Intelligence collection units;
- Grenade attacks/assassination squads; and
- Suicide operations squads.

20. Each *Amniyat* unit is autonomous, designated by a codename (e.g. *Arqaladen* or *Madah Jebis* units in Mogadishu), and in principle unaware of other groups, for security reasons in case of arrest and interrogation. Intelligence is collected by smaller units, or even lone operatives, and transmitted to the unit commander, who then transmits necessary information to assassination or suicide squads to prepare operations. The Monitoring Group has obtained clear indications that the *Amniyat* is responsible for most of the person- and vehicle-borne suicide attacks, in spite of Al-Shabaab attributing them to the "martyrdom brigade".[16]

21. On 5 May 2013, in the vicinity of K4 in Mogadishu, a suicide vehicle-borne IED attack targeted a government convoy transporting high-level officials from the Qatari security services, in spite of precise intelligence reports anticipating the immanent attack and reinforcement of security measures, including total disruption of road traffic for three days to mitigate the threat. This demonstrates Al-Shabaab's ability to plan and execute a targeted attack in the middle of the national capital, even under such circumstances.[17]

22. The Monitoring Group was able to interview three ex *Amniyat* operatives.[18] One of these, a former member of an assassination squad, detailed the *Amniyat* modus operandi, from transmission of orders, to deployment of the operative, the designation of the target and execution of the mission. Notably, he described:

> We are tasked on the phone .o go to some place, sit in a teashop, and then on the phone we are told that the target is the guy passing right now in front of you.[19]

23. The *Amniyat* operatives interviewed by the Monitoring Group were young men, around 20 years old, with certain intellectual and operational capabilities or language skills (like Arabic), and with family and clan connections to high-level Al-Shabaab commanders. Initially, new operatives are assigned to intelligence collection units and tasked as drivers for foreign fighters (reporting on unusual events such as unauthorized meetings or suspicious telephone

[16] "5 Martyrdom seekers from the Martyrdom Brigade today attacked an apostate courthouse in Xamarweyne district of #Mogadishu. #JihadDispatches", @HSMPRESS1's post, 14 April 2013.
[17] See annex 1.2.c. for a photograph of the blast scene.
[18] Interviews in Somalia on 9 December 2012, 23 January 2013 and 18 March 2013.
[19] Interview with the Monitoring Group, Somalia, 18 March 2013.

calls) or receptionists at guesthouses for foreign fighters (recording visitors names, including women, and date and time of arrival and departure)—all indicating the Al-Shabaab leadership's mistrust in *jihadists*. Members of *Amniyat* receive higher salaries than others in Al-Shabaab, with a junior operative paid 300 to 400 USD per month, and have their expenses covered by the organization or a dedicated *Amniyat* logistics officer.

24. Occasionally, without prior notice or knowledge of the nature of the assignment, operatives are instructed to reinforce Godane's security details. They also at times support units conducting hit-and-run attacks against AMISOM or SNA positions.

25. *Amniyat* operations are concentrated mainly in Mogadishu, where grenade attacks and assassinations occur weekly. Some incidents are not related to Al-Shabaab, but to business disputes, clan revenge or political conflicts. Nevertheless, at the time of writing, some 200 *Amniyat* operatives, commanders and support officers are deployed in Mogadishu.

Probable Amniyat structure in Mogadishu as of December 2012
(names are purposely not readable, to protect ongoing investigations and sources)

26. The Monitoring Group was also provided with confidential information regarding the preparation at the end of 2012 and the partial execution of a large-scale assassination operation by an *Amniyat* cell in Mogadishu. The objective was to mobilize a team of 25 *Amniyat* operatives to conduct a wave of assassinations of national intelligence officers and members of the Federal parliament. To that end, money was collected amongst supporters of Al-Shabaab within the Somali business community in Qatar and sent via Dahabshil, a money remittance company, to Mogadishu, where it was received by the *Amniyat* Finance Officer in Mogadishu, Ali Mohammed Ali 'Abdullahi', and delivered to the *Amniyat* commander in charge of the operation.[20]

27. The Monitoring Group had further access to three additional cases in which cash U.S. dollars were collected from the Somali business communities in Saudi Arabia and the United Arab Emirates, and transferred by remittance companies to Mogadishu, with the knowledge and aim of financing terrorist activity in Somalia, and specifically to support *Amniyat*

[20] Confidential intelligence report, 21 October 2012.

operations in Mogadishu. In the period October to December 2012, the aggregate amount transferred for the four operations was approximately 100,000 USD.[21] In addition to spreading fear amongst the population and government officials, Somali businessmen in the diaspora supporting *Amniyat* assassinations may serve to achieve ulterior goals, whether clan revenge or elimination of business competitors or political opponents.

28. In a press communiqué dated 18 April 2013, the so-called Press Office of Harakat Al-Shabaab Al-Mujahideen claimed responsibility for the killing of "127 Somali intelligence agents, officials and spies in Mogadishu", and for the subsequent resignation of the head of the National Intelligence and Security Agency (NISA) of Somalia, Ahmad Mo'alim Fiqi. It further stated that the assassination campaign was conducted by the "Mujahideen counter-intelligence teams" in Mogadishu, and led by the "Muhammad Ibn Maslamah Brigade".[22] The phrase "counter-intelligence teams" is in reference to *Amniyat*. However, the high casualty figure appears to be propaganda, since, according to UN statistics, only 22 individuals were assassinated by Al-Shabaab in Mogadishu between January and March 2013.[23]

29. Overall, *Amniyat*, as an organization within an organization, was most likely intended by Godane to survive Al-Shabaab, in the event that the movement was deprived of any territorial control or clan and political support in Somalia, or if it split into its constituent factions. *Amniyat* is structured like a clandestine terrorist organisation, able to function underground and subsist in areas under Government/AMISOM control, while Al-Shabaab's military apparatus operates more as a conventional armed opposition group. Even if the main body of Al-Shabaab's forces were demobilized as the result of a combined military and political approach of the FGS and the international community at regional and local levels, *Amniyat* could remain operational.

[21] Confidential intelligence reports, 5 October 2012, 21 October 2012, and 12 December 2012.
[22] "PRESS RELEASE: Campaign of attacks against the Apostate Intelligence Agency", HSM Press office, 18 April 2013. See annex 1.2.d for a copy of the communiqué.
[23] Data provided to the Monitoring Group by a UN department compiling statistics of security incidents in Somalia, email communication, 7 May 2013.

Annex 1.2.a: Al-Shabaab propaganda photographs taken during a military parade in Barawe, Lower Shabelle, 29 April 2013[1]

[1] According to Shabaab-related media, accessed at http://radioalfurqaan.com/?p=1173 on 30 April 2013.

Annex 1.2.b: Photographs of presumed Al-Shabaab fighters surrendering to AMISOM in Garsaale, Middle Shabelle, 22 September 2012[1]

[1] Photographs provided by AMISOM.

Annex 1.2.c: Photograph of an armoured vehicle of the Interior Ministry of the Federal Government of Somalia transporting a delegation from Qatar, after a SVBIED attack in Mogadishu, 5 May 2013[1]

Photograph of the blast scene, minutes after the attack, with the rest of the attacking vehicle

[1] "Frail peace in Mogadishu shattered by bombing", Al Jazeera, 5 May 2013.

Annex 1.2.d: Al-Shabaab press communiqué about "Campaign of attacks against the Apostate Intelligence Agency"

HSMPress @HSMPRESS1
18th April 2013 from TwitLonger

1
Tweet

PRESS RELEASE: Campaign of attacks against the Apostate Intelligence Agency

Mogadishu (18/04/2013): In the Name of Allah, the Most Beneficent, the Most Merciful.

As the Jihad against the Crusaders and their apostate allies continues in Somalia, the Mujahideen have been conducting a series of coordinated attacks against the coalition of disbelievers who are bent on desecrating the noble faith of Islam and contaminating it with the evil of democracy.

In a campaign of attacks, carried out by the 'Muhammad Ibn Maslamah Brigade' and launched in January 2013/Safar 1434, the Mujahideen have been specifically targeting the security apparatus of the apostate regime in Mogadishu, namely the intelligence agency and the police force. The intelligence agency is made up hundreds of apostate agents who are trained, funded and work under the auspices of several Western intelligence agencies so as to persecute Muslims in Somalia and secure the interests of the Crusaders in this Muslim land.

Mujahideen counter-intelligence teams have carried out a string of high-profile assassinations targeting senior apostate intelligence officials as well as coordinated attacks against the different sections of these agencies. And by the permission of Allah alone, the Mujahideen have succeeded in eliminating more than 127 apostate intelligence officials and mid-level operatives and spies since the launch of the campaign.

The large number of deaths has resulted in the implosion of the apostate intelligence agency and the resignation of the apostate heads of intelligence, giving a fresh impetus to the campaign of the Mujahideen. Most recently, the apostate head of the intelligence, Ahmad Mo'alim Fiqi, was sacked last month for failing to prevent the Mujahideen from carrying out the deadly attacks that rocked the capital and killed many of their senior operatives, and until now no one has been formally appointed to be in charge of the agency.

The campaign goes hand in hand with the military operations against the African Crusaders in all the regions of South/Central Somalia and the Mujahideen vow to strengthen and double their efforts in the coming months, insha-Allah, until not a single apostate spy raises his head above ground. And Allah has full power and control over His Affairs, but most of mankind know it not.

Press Office
Harakat Al-Shabaab Al-Mujahideen

http://tl.gd/n_1rjr4ke · Reply
Report post (?)

Annex 1.3: Al-Shabaab recruitment and training

1. The Monitoring Group has had access to classified information regarding the presence in Somalia of 20 training camps, particularly in the Lower Shabelle region, including a "suicide training school" in the vicinity of Barawe, as well as in the Bay, Hiran, and Galgadud regions. According to photographs seen by the Monitoring Group, Al-Shabaab training camps generally consist of basic tents and huts hidden in areas covered by forest, and do not comprise fixed structures, with the exception of some specialised training that is or was taking place in former government or military compounds. Additionally, these camps are constantly relocated, generally after one or two training sessions, for security reasons but also for logistical purposes, since Al-Shabaab tends to set up new camps in areas where large numbers of youth are being recruited.

2. Charismatic members of the *Shura*, namely Fu'ad 'Shongole', 'Ali Dhere' and Mukhtar Robow, play an important role in the recruitment process of new Al-Shabaab fighters, not least because they represent the three main clans in Somalia, respectively the Darod, Hawiye, and Rahanweyn. They regularly meet regional and local Al-Shabaab commanders, as well as clan elders, reportedly offering them financial incentives to mobilize youth and young boys. According to an intelligence report, on one occasion Shongole offered 1800 USD to a senior clan leader of Lower Shabelle in exchange for 150 young boys.[1] However, UN reports indicate that Al-Shabaab also forcibly abducts children and young boys in communities resisting 'voluntary' recruitment (see section V.C on child soldiers of the main Somalia report).

3. New Al-Shabaab recruits initially receive three months of basic military training, which can be reduced to a month if there are pressures at the frontline for more troops. Thereafter, some trainees continue to take specialized courses in assembling IEDs, sniping, or guerrilla warfare. According to a former *Amniyat* operative interviewed by the Monitoring Group, for those selected to join *Amniyat*, these courses include intelligence collection or assassination, though *Amniyat* mostly conducts its own recruitment process separately.[2]

4. The same former *Amniyat* operative referred to a 50-year old Sudanese national called 'Hassan', who was serving as a senior training instructor for Al-Shabaab and who claimed to be formerly with the Sudanese military. According to this source, 'Hassan' is also known as 'Jimale', 'Yusuf' or 'Abdi Madobe', and was specifically tasked by Ayman Al-Zawahiri, the Amir of Al-Qaida, to train in Somalia African jihadists who are unable to travel to Afghanistan and Pakistan. 'Hassan' is reportedly in contact with Al-Qaida operatives as well as Godane, in order to plan training strategies and programmes for Al-Shabaab and other Al-Qaida affiliates in Africa.[3]

5. Furthermore, the former *Amniyat* operative claimed he had been 'Hassan's personal translator during his time at Wabxo training camp, in the Galgadud region of Somalia. He stated that he witnessed the presence of one Nigerian in Somalia, killed on 2 May 2011 near the former Defence Ministry in Mogadishu, as well as several Yemenis, Kenyans and Ethiopians, who were acquainted with 'Hassan'. 'Hassan' was also reportedly supervising a training camp

[1] Confidential intelligence report, 24 October 2012.
[2] Interview with the Monitoring Group, Somalia, 18 March 2013.
[3] Interview with the Monitoring Group, Somalia, 18 March 2013.

in South Sudan, at the border with Kenya, and left Somalia for Nigeria with a group of Boko Haram fighters after the completion of their training in March 2011.[4]

6. In addition to the existence of 20 training camps in Al-Shabaab-controlled areas of southern and central Somalia, the Monitoring Group obtained details regarding 12 training sessions organised between August and December 2012. These included 6 basic military training courses attended by 925 new recruits.

Geographical distribution of Al-Shabaab training camps in southern and central Somalia, operational between August and December 2012

7. During the same period, several specialised training programmes were conducted, as follows:

- two *Amniyat* training sessions attended by 50 recruits;
- three specialised courses in IEDs attended by 115 fighters; and
- two specialised artillery courses on indirect fire with 60 and 80 millimetre mortar tubes, B-10 recoilless guns and rocket-propelled grenade launchers, attended by 46 fighters.

8. Overall, Al-Shabaab strives to maintain its military operational readiness, combining both recruitment campaigns and training programmes. However, ground observation following attacks conducted by Al-Shabaab "artillery units" appears to indicate that specialized training, notably in terms of indirect fire, are yet to have an impact on Al-Shabaab's military effectiveness (see also annex 1.5).

[4] Interview with the Monitoring Group, Somalia, 18 March 2013.

Annex 1.4: Foreign fighters with Al-Shabaab

1. According to a confidential report made available by a military intelligence service to the Monitoring Group, about 300 foreigners are presently fighting alongside Al-Shabaab in Somalia. In addition to participation in military operations, their role includes technical assistance with weapons systems, operational planning, training, manufacturing of IEDs, IT support, medical assistance and media and public relations. However, there is no report yet indicating the participation of a foreign fighter in a suicide attack.

Unidentified Al-Shabaab "white-skin" foreign fighter (first on the left) wearing a Western-style desert military uniform during a parade, which took place according to Shabaab-related media in Barawe on 29 April 2013[1]

2. The Monitoring Group excludes from its definition of a foreign fighter those individuals of Somali descent or holding dual citizenship. The nationalities most frequently represented among the foreign fighters are Yemeni, Sudanese, and Kenyan. The larger numbers of foreign fighters are in the region of Barawe, Lower Shabelle. Foreign fighters are regularly invited by Al-Shabaab propaganda to "migrate" to Somalia - the *hijrah* - and join Al-Shabaab to conduct *jihad* against the "apostate regime" and its "foreign crusaders".

3. Foreign fighters have actively participated in various capacities in the Somali conflict since the 1990s. They fought alongside Al-Ittihad al-Islamiya (AIAI) in response to the Ethiopian invasion of 2006 and in support of the Mu'askar Ras Kamboni forces (MRK) defence of the Jubalands. They subsequently joined Al-Shabaab following the defeat of the Union of Islamic Courts (UIC). However, since the successful launch of "Operation Linda Nchi" by the Kenya Defence Forces and their deployment in AMISOM's Sector 2 (Kismayo),

[1] Accessed at http://radioalfurqaan.com/?p=1173 on 30 April 2013. Also, see annex 1.2.a for additional photographs.

there has been an increasing exodus from Somalia of Al-Shabaab foreign fighters, including those from Al Hijra in Kenya and others affiliated with Al-Qaida.[2]

4. The departure of foreign fighters from Somalia has been explained, in part, by the military reverses suffered by Al-Shabaab coupled with its loss of revenue, in addition to internal dissension in the organization. However, a number of foreign fighters have left Somalia with the intention of supporting *jihad* in the region, offering direct support to known extremists, in addition to an attempt to revive Al-Qaida East in Africa (AQEA) by aligning with its associated members. While such an attempt may be aspirational, there is some evidence to warrant its careful consideration.

Foreign fighters' discontent

5. The Monitoring Group has received testimonies indicating that a significant number of foreign fighters, including East African and overseas nationals, have deserted Al-Shabaab for a combination of reasons, including hardships involving at times financial constraints, mistreatment, discrimination and detention on suspicion of being a spy by Al-Shabaab.[3]

6. On 31 December 2011, Kenya police issued an alert that an Al-Shabaab cell of 15 members, mainly composed of Somalia-based Al Hijra fighters, had entered the country from Kismayo.[4] According to the Kenyan police press conference held on the same day, a Somalia-based Al Hijra fighter "X", who is known to the Monitoring Group and has been mentioned in its previous reports, had also arrived in the country with the others to carry out attacks.[5] This cell had in fact entered Kenya through Hamey in Fafi district, Northeastern Province.[6] However, during "X's" debriefing with the Directorate of Military Intelligence (DMI) in December 2011, it transpired that "X" had not entered Kenya to carry out an attack but had joined the cell as a means of deserting Al-Shabaab.[7]

7. According to a series of email communications with another Al Hijra member between 11 and 13 March 2012, "X" explained that his reasons for deserting Al-Shabaab in Somalia were a combination of "racism" by his Somali-Al-Shabaab associates, internal "wrangles" and disputes within the Al-Shabaab leadership.[8]

[2] Throughout the Somali conflict and in its various stages, fighters with peripheral and direct links to Al-Qaida have had a continuous presence in Somalia. Due to the contentious nature of describing fighters in Somalia as "Al-Qaida", the Monitoring Group has referred to Somalia-based foreign fighters as "Al-Qaida affiliated".

[3] See also http://sabahionline.com/en_GB/articles/hoa/articles/features/2013/04/12/feature-01.

[4] http://www.capitalfm.co.ke/news/2011/12/kenya-police-release-list-of-15-shabaab-suspects/.

[5] S/2011/433, pages 140-147 and S/2012/544, page 176.

[6] Monitoring Group visit to Garissa, 30 December 2011.

[7] Interviews with Kenyan officials confirmed that towards December 2011, "X" had made several calls from Somalia to his parents expressing his wish to return to Kenya.

[8] Email communications dated 11 March 2012 at 7:02 pm, 12 March 2012 at 12:47 pm and 13 March 2012 at 4:45 pm between "X" and a Nairobi-based Al Hijra member, accessed and archived with the United Nations.

8. 'Al-Amriki' has also publicly exposed the discontent among Al-Shabaab's foreign fighters via the Twitter account @abuamerican, corroborating "X's" account that foreign fighters have exited Somalia for similar reasons.[9]

9. In February 2013, the Monitoring Group received further testimony from a former East African fighter in Somalia and close associate of the Al Hijra 'Amir' Ahmad Iman Ali 'Abu Zanirah', Al-Shabaab's representative for Kenyan affairs. Accordingly, a number of East African fighters affiliated with Al Hijra under Ahmad Iman's command have been increasingly demoralized and unable to continue fighting alongside Al-Shabaab. Deserters have claimed that they left Al-Shabaab not only because of "racism" by their fellow Somali fighters but also due to financial difficulties.[10] While groups like Al Hijra receive funds from Kenya through the Pumwani Riyadha Mosque Committee (see annex 2) and elsewhere, such funds are distributed inequitably[11] and many fighters have to seek assistance from family members, associates in Kenya and at times contacts in the diaspora.[12]

10. International fighters more affiliated with Al-Qaida have endured similar hardships while fighting alongside Al-Shabaab. An alleged member of the *Shura*, Zubeir al-Muhajir, addressed a letter to Godane entitled "Yes, there is a problem" and published on jihadist online forums on 24 April 2013, stating:

> There is a problem, because you detained a number of emigrants with the charge that they were joining the apostates. Despite the judgment of the secret court that proved their innocence, you continue to treat them like criminals and you sent some of them away to countries of disbelief and you pursue the others!
>
> A while ago, you made a secret decision that states not to receive the emigrants coming from outside, whether individuals or families, but you didn't announce that decision. I'm afraid that the emigrant will travel and bear the difficulties of the emigration and then end up either not participating in jihad or being imprisoned by the disbelievers.
>
> Isn't this a problem?![13]

11. How Al-Shabaab markets itself amongst the jihadist community (see annex 1.6), welcoming *jihadist* from all over the world and promoting the *hijrah* to Somalia, contradicts these testimonies of foreign fighters denouncing living conditions and the perpetual suspicion that they are 'spies'.

[9] The Monitoring Group assesses that the Twitter account twitter.com/abumamerican is most likely to belong to 'Abu Mansour Al-Amriki'.

[10] Interview with a former Somalia-based Al Hijra fighter, February 2013.

[11] Uncorroborated reports suggest there is financial corruption in the senior leadership of Al Hijra in Somalia. In 2011, the Monitoring Group received credible audio recording information, archived with the United Nations, that suggested Al-Hijra's ideological cleric, Sheikh Aboud Rogo Mohamed, had raised concerns over the welfare of young Kenyans under the command of Ahmad Iman in Somalia.

[12] Confidential document archived with the United Nations.

[13] Transcript and translation provided by SITE Monitoring service, "Second Shabaab Official Publicly Criticizes Leader Over Fighter Grievances", 24 April 2013.

Case study: Al-Qaida affiliate Najjar Majd Abu Sa'ad al-Urduni[1]

On 11 May 2012, Jordanian national Najjar Majd was arrested by Kenyan security services on suspicion of planning a terrorist attack in Kenya with other unknown members of Al-Shabaab, though evidence was lacking at his court trial.[2] Born in Amman Jordan, 'Abu Sa'ad' had apparently moved to Switzerland with his parents as a young boy but not as a refugee.[3]

Al-Qaida affiliate Najjar Majd Abu Sa'ad al-Urduni

'Abu Sa'ad' had travelled to Somalia to fight alongside Al-Shabaab and arrived in Kenya on 23 February 2011. Uncorroborated reports suggest 'Abu Sa'ad' was assisted by two unknown Somalis, one who had facilitated his travel from Nairobi through to Garissa and another escorting him from Garissa to Hagadera refugee camp in Dadaab. From Garissa, 'Abu Sa'ad' was transported to Dobely inside Somalia to join Al-Shabaab.[4]

According to information attributed to 'Abu Sa'ad' and corroborated by former East African fighters who had met him in Somalia, following his military training, he spent time in Mogadishu and Baidoa, two Al-Shabaab strongholds at the time. According to his own account, 'Abu Sa'ad' was detained by Al-Shabaab on suspicion of being a spy at a time when there were growing internal tensions between some Al-Qaida-affiliated fighters, including Emrah Erdogan 'Salahuddin al-Kurdi', and the leadership of Al-Shabaab. Other foreign fighters corroborated the fact that a number of Al-Qaida-affiliated fighters were in conflict with Al-Shabaab, including a Somali-based member of Al Hijra associated with 'Salahuddin al-Kurdi'.

A number of foreign fighters, including 'Abu Sa'ad', have justified in part their departure from Somalia on the unexplained circumstances of the death of Fazul Abdullah Mohammed in June 2011.[5] In fact, 'Abu Sa'ad' claimed that some Al-Qaida-affiliated fighters in Somalia believed that Al-Shabaab played a crucial role in Fazul's death.

As a result of death threats from Al-Shabaab, according to 'Abu Sa'ad', he and another Al-Qaida-affiliated fighter known to the Monitoring Group left Somalia between April

[1] https://chaeshoernli.wordpress.com/tag/al-shabaab/.
[2] https://twitter.com/EuroAnalysis/statuses/213582490898669568.
[3] While born in Amman, 'Abu Sa'ad' claims to be a Swiss national. However, 'Abu Sa'ad's' Swiss "citizenship" may have been revoked, and he continues to remain in detention in Kenya on immigration-related charges. Unconfirmed reports also indicate that the Government of Jordan has refused to accept 'Abu Sa'ad' as a Jordanian national.
[4] http://www.gctat.org/fr/analyses-rapports-et-notes/29-ranoc/216-abz-saad-al-urduni-
[5] http://www.bbc.co.uk/news/world-africa-13738393.

and May 2012 and entered Kenya through Hagadera refugee camp. They proceeded to Garissa where they sought the assistance of senior Kenyan police officer, Felix Jay Munyambu, in securing safe passage to Nairobi with a police escort. Munyambu did not act out of religious conviction or for financial gain, but thought he was assisting two stranded NGO workers.[6]

On arriving in Nairobi, 'Abu Sa'ad' and his associate parted ways. The Al-Qaida affiliated fighter claimed he would travel to Yemen, while 'Abu Sa'ad' went to the Orchid Hotel in Nairobi where he was later arrested. Although 'Abu Sa'ad's account appears to be accurate in part, his associate in leaving Somalia maintained contact with other known Al-Qaida and Al Hijra-affiliated fighters in Kenya and Tanzania, his ultimate destination.[7]

[6] http://www.hiiraan.com/news4/2012/oct/26298/kenya_ex_garissa_chief_cop_reinstated.aspx.
[7] http://www.bbc.co.uk/news/world-africa-18426049.

Annex 1.5: Al-Shabaab tactics, techniques and procedures

Weaponry developments

1. Al-Shabaab has repeatedly chosen to trade the loss of ground against the preservation of its military capability. Its withdrawal from Mogadishu and other cities in 2011, 2012 and 2013 demonstrated that it avoided set-battles with AMISOM and the SNA if confronted with larger weapons systems. It altered its posture from the conventional holding of urban centres to asymmetrical approaches to warfare. It has reverted to guerrilla tactics aimed at maintaining its mobility and engaging in combat on its own terms. In doing so, it has buried arms caches at abandoned locations[1] and used portable weapons systems for shifting between positions. It has further developed its IED methods and resorted more to targeted killings by various means. Consequently, Al-Shabaab proved capable of responding quickly and effectively to sudden political and security changes, such as its rapid reoccupation of Hudur town, the capital of the Bakol region, following the withdrawal of Ehthiopian forces on 17 March 2013.

2. Meanwhile, Al-Shabaab has continued to develop its weapons resources and capabilities. For instance, the seizure by Puntland authorities of a suitcase transported by an Al-Shabaab operative in Galkayo South indicated a high level specialist knowledge among Al-Shabaab suppliers and bomb makers. The suitcase contained a complete and professionally assembled "bomb manufacturer kit"[2] consisting of a fully-rigged suicide vest, anti-armour IEDs, TNT explosives, hand grenades, IED components, together with bomb-making tools and equipment. The kit also contained medical gloves, suggesting awareness about leaving human markers on IEDs that may be subjected to forensic investigation.

3. In March 2013, seizures from Al-Shabaab IED transport operations revealed another significant development in anti-armour IEDs modified by the addition of adjustable stands to orient and aim the charge to better penetrate armoured vehicles. Distinguishable from explosively formed penetrators (EFP) by their sand-casted manufacturing process, these IEDs project small missiles on detonation.[3]

4. A number of press reports refer to Al-Shabaab's possession of artillery pieces and SA-7 surface-to-air missiles. Al-Shabaab has displayed several of its fighters with such missiles and at least two 122mm tracked canons, probably inherited from the Soviet arms legacy in Somalia (see annex 6.1). However, Al-Shabaab has never used such weapons on the battlefield, suggesting technical limitations, and instead exploit them for propaganda purposes. Nevertheless, on 25 October 2012, the Monitoring Group inspected one SA-7, recovered from Al-Shabaab without the launcher, stored at Mogadishu International Airport for future disposal, and was able to confirm that it was part of the same batch of missiles documented by the Monitoring Group two years ago (S/2011/433).

[1] On 8 November 2012, based on information from militants in police custody, AMISOM forces and Somali troops discovered such an arms cache with 50 AK-47 rifles, several PKM machine guns, pistols and ammunition buried at two locations in the Jabarti Muslim Cemetery, Kismayo. Confidential intelligence report, 18 December 2012.
[2] UN report, Exploitation of Recovered IED Material, Puntland, 26 November 2012.
[3] Meeting with UN specialist, Nairobi, 18 May 2013.

5. Al-Shabaab continues to use mostly 81mm and 82mm calibre mortars in attacks in AMISOM Sectors 1 (Mogadishu) and 2 (Kismayo), but with limited accuracy and effect. Al-Shabaab has sought external training in mortar usage and senior commanders of Al-Shabaab announced their intentions to establish mortar training camps in Lower Juba and Galgudud. However, there has been no discernible improvement in fire control in Al-Shabaab's mortar attacks. Al-Shabaab mortared AMISOM positions near Kismayo port for weeks in late 2012 without causing damage. It seems, therefore, that Al-Shabaab is yet to access the relevant training.[4]

6. In January 2013, the 1st Brigade of the SNA discovered two improvised surface-to-surface rockets in an Al-Shabaab arms cache near Jowhar. These homemade missiles are a new weapons system appearing for the first time and are somewhat similar to those used in the Gaza Strip and Syria. Given their crude manufacture and probably inaccuracy, it is not clear if they were intended to be used on the battlefield or for propaganda purposes. Al-Shabaab has in the past spent resources on the fabrication of improvised weapons systems for no real operational benefit (see also annex 6.1).

7. Since the KDF advance on Afmadow in June 2012, there have been reports of Al-Shabaab's effective use of snipers. Such a capability resides with the foreign fighters that have joined Al-Shabaab. At present, these elements are believed to be based mainly in the areas of Jilib and Jamame.[5]

Al-Shabaab fighters, two of them carrying sniper rifles, during a parade which took place according to Shabaab-related media in Barawe, on 29 April 2013[6]

8. Al-Shabaab is often able to access arms by rapidly integrating into the SNA as defectors and subsequently deserting back to Al-Shabaab with their individual weapons.[7] At the same

[4] Confidential intelligence reports, November 2012, and interview with AMISOM intelligence officer, Mogadishu, 15 January 2013.
[5] Interview with diplomatic official, Nairobi, 13 May 2013.
[6] Accessed at http://radioalfurqaan.com/?p=1173 on 30 April 2013.
[7] Confidential intelligence reports, November and December 2012.

time, most of the major seizures of weapons belonging to or destined for Al-Shabaab were the result of collaboration by the civilian population or defections of key Al-Shabaab officers, especially from *Amniyat* units.[8]

Proliferation and diversification of IED attacks

9. Key to maintaining a flexible capability to adapt to new circumstances and launching asymmetrical attacks is the use of IEDs in various forms, whether vehicle-borne IEDs (VBIED), person-borne IEDs (PBIED) (mostly in Mogadishu), and roadside IEDs aimed at AMISOM's lines of supply and communication. Roadside IEDs are at times combined with prolonged attacks on AMISOM defensive positions or convoys along the Mogadishu-Afgoye-Marka road. AMISOM has tended to use this narrow road with several known vulnerable points that explains the high rate of Al-Shabaab attacks on it. In addition, single IED attacks are common and used in the manner of periodic small arms fire or sniping.

10. When Al-Shabaab arranges more complex ambushes against convoys, it tends to use a combination of large-blast IEDs or anti-tank weapons such as RPGs followed by small arms fire. When attacking fixed AMISOM and SNA positions, Al-Shabaab combines indirect mortar and small arms fire. Multiple PBIED attacks are mostly used against Somali targets in Mogadishu.[9]

Screenshot of a video released on 19 April 2013 showing an Al-Shabaab fighter planting an anti-armor mine in preparation for an ambush of an AMISOM/KDF convoy in the region of Bibi, Lower Juba[10]

11. The use of IEDs as part of Al-Shabaab's tactics aim at fixing AMISOM forces on all their fronts as they expand the area and scope of their military operations. This has both a

[8] Interview with an Al-Shabaab defector, Garowe, 11 November 2012.
[9] Interview with diplomatic official, Nairobi, 13 May 2013.
[10] Accessed at http://radioalfurqaan.com/?p=1173 on 30 April 2013.

physical and psychological effect. Al-Shabaab attacks AMISOM at its vulnerable points while projecting the image that Al-Shabaab has a more pervasive presence in Somalia than it does.

12. Al-Shabaab's tactics, techniques and procedures have evolved in part depending upon how a particular context affects the effective use of IEDs. In areas where Al-Shabaab continues to benefit from some measure of popular support, such as Marka, IEDs tend to be used more systematically. In tactical terms, this indicates that Al-Shabaab IED specialist individuals or teams have probably remained in the area for an extended period and are able to learn from experiences and enhance their skills. In places like Marka, IED attacks are better planned, prepared and executed. By contrast, in places where Al-Shabaab does not benefit from any measure of popular support, its pattern of IED attacks reflects a more ad hoc approach to less effect.[11]

13. In the countryside, roadside IED attacks have been combined with small arms fire and RPGs, and incorporate more elaborate ambush tactics, such as an escalating sequence of actions. The attack on an AMISOM convoy in Leego, Bay region, on 15 January 2013 was the first example of a complex ambush, which included use of a large explosive charge.[12] More commonly, IED attacks targeting vehicles are placed in the centre of track marks.

14. In April 2013, there was a sharp increase in multiple IED attacks in Mogadishu, including PBIEDs, targeted killings at close quarter, as well as roadside IEDs. Such attacks are motivated both by Al-Shabaab's objectives, but also dissension amongst Somali political and business actors, and often are political rather than military in nature. For example, in an attack on a convoy carrying a delegation from Qatar on 5 May 2013, a reserve of pre-prepared VBIEDs and PBIEDs were deployed at the busy and well-controlled K4 area of Mogadishu on short notice.[13]

IED statistics

15. For many years, data on IEDs has lacked proper categorization and a systematic approach to information-gathering, leading to poor quality statistics. Since 2012, IED data categorized and processed has improved leading to a higher number of reported incidents.[14] With experience and over time, there has been a more systematic approach to reporting with more accurate data, but also a better understanding of tactical trends through analysis of the individual incidents dynamics. Over the years, the following numbers of incidents have been recorded: 2007 - 22; 2008 – 6; 2009 – 55; 2010 – 35; 2011 – 116; and 2012 – 181.[15]

[11] Interview with UN specialist, Nairobi, 25 April 2013.
[12] Interviews with Mogadishu-based IED specialists, Mogadishu, 16 January 2013.
[13] Communications with Somali security expert present in Mogadishu at the time of the attack, and with regional expert on Somali affairs, Nairobi, 9 May 2013.
[14] Data on IEDs in Somalia are collected by AMISOM, UN agencies and Bancroft Global Development.
[15] Based on incident information gathered by AMISOM and the Somali Police, and collated by UNMAS as part of its explosive threat monitoring; meeting with UNMAS specialist, Nairobi, 18 May 2013.

16. IEDs are now categorized as: explosions, time command, victim-operated, finds, hoaxes and fakes. As of 2013, hoaxes are included as a specific type of IED incident. Hoaxes are mechanisms resembling an IED but lacking an explosive, and designed as a deception or to assess the tactical response of opposing forces. In some cases, hoaxes are used to fix the opposing force at a location and then engage it by other means, hence their importance in the IED typology. IED hoaxes are treated as real IEDs until their true nature is confirmed by an IED specialist.

17. The latest statistics for January to April 2013 for Somalia are as follows:[16]

	IEDs	Command	Time	Victim Operated	Unknown
2013-04	12	4	0	1	7
2013-03	16	9	0	1	6
2013-02	14	5	0	1	8
2013-01	14	4	0	1	9
Total	56	22	0	4	30

Weapons supply routes

18. To maintain a flow of arms, corresponding to a renewed IED campaign, Al-Shabaab exploits a complex network of supply routes throughout Somalia. A long logistical chain begins in northern Somalia, extending southwards. At Galkayo South, the route splits into several different ones through which ready-made IEDs are delivered at various Al-Shabaab hubs for onward passage to final destinations in central and southern Somalia. By the end of 2012, several intelligence reports noted that Middle Shabelle was quickly becoming a staging point for the final assembly of IEDs and a launching point for attacks.[17]

19. In Puntland, Al-Shabaab's supply networks are using small ports and natural harbours in remote areas adjacent to Bosaso and east of it.[18] The Bari region offers key advantages for illicit and clandestine operations, including a lack of Government presence, its proximity to southeast Yemen, and an absence of infrastructure in a rugged terrain. Also, the terrain of the Bari coast with elevations above narrow beaches is conducive for smuggling operations. High coastal cliffs provide vantage points for oncoming threats, and the beaches have a controlled access with many natural caves to hide cargo and arms caches.[19]

[16] Meeting with UNMAS specialist, Nairobi, 18 May 2013.
[17] Confidential intelligence Report, 18 December 2012.
[18] Meeting with Puntland Security officials, Garowe, 10 November 2012, and presentation to the Monitoring Group by Lieutenant-Colonel Shuga Al Mahdi, Director of Operations of the Yemeni Coast Guard, Sana'a, 23 April 2013.
[19] Meetings with Puntland Security officials, Garowe, 10 November 2012, and Abdurisak Ahmed Ismael, Deputy Minister of Security, Bosaso, 9 December 2012.

20. Additionally, the area west of Bosaso, including Erigavo and Las Anod, offer many options for weapons smugglers to discreetly move illicit cargo between Somaliland, Puntland, eastern Ethiopia and central Somalia, as well as alternative ports such as Xiis and Maydt between Berbera and Las Qoray.

21. During the monsoon seasons, from approximately December to February and June to August, weather conditions in the Gulf of Aden affect shipping between Yemen and northeast Somalia. High winds and rough seas force smugglers to shift their arms shipping activities towards the western part of the Gulf of Aden and the shortest crossing point at the Bab-el-Mandeb strait.[20]

22. Overall, Al-Shabaab's supply networks in Somalia exploit remote areas that are not controlled by either Al-Shabaab or Government forces. Despite significant seizures of arms supplies reportedly destined to Al-Shabaab in Puntland, IED capabilities further south have not been disrupted, indicating weapons reserves sufficient to sustain Al-Shabaab's current asymmetrical military strategy.

[20] Presentation to the Monitoring Group by Lieutenant-Colonel Shuga Al Mahdi, Director of Operations of the Yemeni Coast Guard, Sana'a, 23 April 2013.

Annex 1.6: Al-Shabaab media strategy

1. Al-Shabaab maintains a strong presence across Somalia's media through two radio stations, six news websites, one Twitter account and one producer of multimedia content. This active network of outlets spreads Al-Shabaab's propaganda, advertising the release of new audio recordings and video footages. However, it is not clear how these media channels can operate independently of the Amir of Al-Shabaab and who supervise and coordinate their activity, since Godane lacks the capacity to practically supervise the external public relations of Al-Shabaab without exposing himself and his physical location.

Al-Shabaab's international media strategy

2. The main vehicles for Al-Shabaab's international media strategy remain the Al-Kataib media foundation, also known as the Al-Kataib news channel, which develops on regular basis multimedia productions for Al-Shabaab, and a Twitter account (@HSMPress1) established on 3 February 2013. According to intelligence sources,[1] a United Kingdom national, who speaks on behalf of the "HSM Press Office", administers this account. Messages are posted in English and include reports of some of Al-Shabaab's operations, translations of Al-Shabaab "press releases" and Godane's statements, and announcements Al-Shabaab video releases produced by Al-Kataib.

3. On 28 January 2013, Twitter closed down the previous account (@HSMPress) of the HSM Press Office. It had had 21,000 followers who received an average of three messages per day since 7 December 2011. At the time of writing, the new account has almost 3,800 followers and continues to post an average of three messages per day.

4. The current administrator of the @HSMPress1 also uses the account to express his personal opinions on subjects unrelated to Al-Shabaab and debates with other users on Twitter, including an online argument on 6 February 2013 with the administrator of the official Twitter account of the English Defence League.[2] In this regard, the spokesman of the HSM Press Office has a different profile to other Al-Shabaab counterparts, such as 'Ali Dhere', the official spokesperson, or Abdulaziz 'Abu Mus'ab', the military spokesman.

5. Another Twitter account user (@saud_khalifaa) claims to be an editor for the Al-Kataib media foundations and writes as a native English speaker. As of 27 February 2013, @saud_khalifaa stopped posting tweets following a heated argument between him and @HSMPress1 on one side, and 'Al-Amriki's @abuamerican on the other.[3] In early February 2012, a previous account of @saud_khalifaa called @khalifaa_saud was allegedly hacked.

[1] Meeting with a military intelligence source, Nairobi, 30 April 2013.

[2] Fifteen messages were posted on 6 February 2013 and addressed mainly to the @Official_EDL Twitter account of the English Defence League, a far-right political movement based in the United Kingdom. In one of its messages, @HSMPress1 tells @Official_EDL: "arm yourself, a #Mujahid would loathe to fight the unarmed".

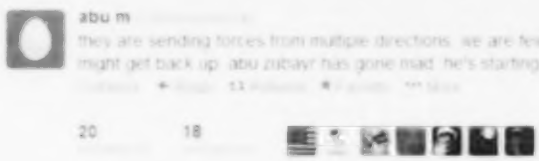
[3] An anthology of messages sent by @saud_khalifaa to @abuamerican includes: on 25 February 2013, "he complains about the Mujaheddin 24/7 yet he can only survive under our shade."; on 24 February 2013, "your character stinks"; on 15 February 2013, "Hamami thinks Jihad is Hollywood acting. In pursuit of fame"; on 15 February 2013, "He spends 24hrs on bogus twitter debates.real Mujahids are on the frontline dying for Isam (sic)"; on 27 February 2013, "he complains about the Mujaheddin 24/7 yet he can only survive under our shade".

Notably, on 22 February 2012, @saud khalifaa sent a response to @MajorHChirchir, an account belonging to the spokesman of the KDF, mentioning that his "brother @HSMPress is busy in the battlefield", indicating that the two users might be acquainted.

6. Both HSM Press Office and Al-Kataib maintain a line close to that of Amir 'Abu Zubeyr', but are nevertheless somehow disconnected from the military apparatus of Al-Shabaab and the battlefield. They do not cover the insurgency as other *jihadist* media outlets do in Syria, Afghanistan or Iraq, where films, pictures and reports of attacks on Government and international forces are more frequently recorded on cellphones and circulated on *jihadist* online forums. However, they both replicate patterns established by *jihadist* international propaganda, in terms of format and design.[4]

7. Notably, @HSMPress has not posted any recent responses to messages from the @abuamerican account of 'Al-Amriki' regarding his attempted assassination by Godane or his letter addressed to Ayman Al-Zawahiry. At the time of writing, the account @abuamerican has been inactive since 3 May 2013.

Screenshot of a message posted by @abuamerican at 0703 hours Somali time on 26 April 2013, in which "abu zubayr" refers to Godane[5]


abu m
they are sending forces from multiple directions. we are few but we
might get back up. abu zubayr has gone mad. he's starting a civil war
20
18

8. According to an *Amniyat* defector interviewed by the Monitoring Group, in 2010/2011, a US national of Somali origin, based in Kismayo and reporting directly to 'Al-Afghani', was drafting speeches and press communiqués for 'Ali Dhere', and taking photographs on the ground for Al-Shabaab media outlets.[6] He spoke English fluently, as do the other individuals involved in the production and diffusion of Al-Shabaab internet propaganda.

9. Since last year, Al-Shabaab communication has been increasingly focusing on Kenya, including videos in Swahili, featuring Kenyan *mujahidin*,[7] audio messages addressed to the Kenyan *Ummah*, and press communiqués. For example, on 3 March 2013, an audio message

[4] See annex 1.6.a for a comparison between an Al-Kataib design for Al-Shabaab and a video entitled "Our Shariah, Loyalty, and Steadfastness Until Victory", released in December 2012 by the al-Mulathameen Brigades of Mokhtar Belmokhtar, active in the Sahel region.

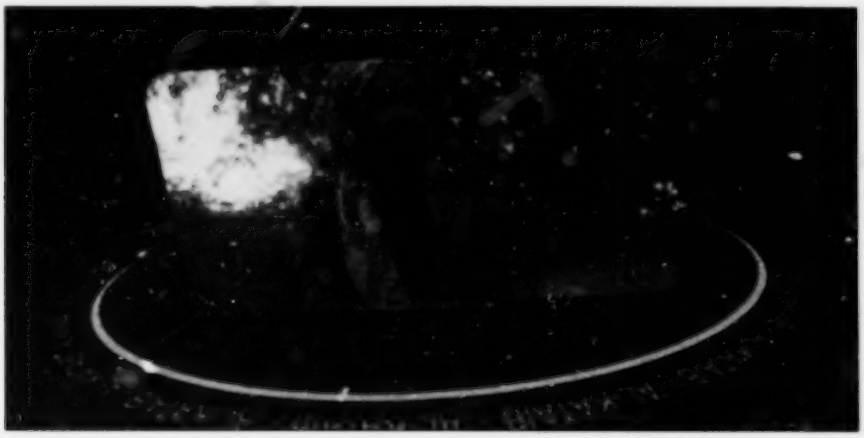
[5] See also annex 1.6.b for additional posts from @abuamerican.

[6] Interview with the Monitoring Group, Somalia, 9 December 2012.

[7] For example: "Mafunzo Bunduki ya AK-47 by Abu Turab Al-Kenyi", entirely in Swahili, released on 18 May 2013; "Mujahideen Moments", featuring one a American and two Kenyan *jihadist*, released on 25 February 2013; "Kenyan POWs: The Final Message", 23 January 2013; "The Year of Unity, 1433", featuring a Kenyan *jihadist* addressing a message to the Kenyan government, released on 15 April 2012; and video messages from Ahmed Iman Ali released on 19 October 2012, 24 April 2012 and 10 January 2012.

from Godane addressed to the Kenyan public, and specifically "the Muslims of Kenya", was released on *jihadist* internet forums. In the 4 minute and 51 second message, Godane urged Kenyan Muslims to "boycott the Kenyan elections and wage Jihad against the Kenyan military".[8]

Al-Kataib featuring "Ndugu" Ahmed Iman Ali, the Al-Shabaab representative for Kenya, in a video warning the KDF not to enter Kismayo[9]



10. Al-Shabaab propaganda continues attempting to incite foreigners, particularly East Africans, to travel to Somalia and join Al-Shabaab. On 25 February 2013, it dedicated its last video, released by Al-Kataib on *jihadist* online forums, "to the millions of Muslims in East Africa and beyond...".[10] The Monitoring Group could also observe an increase in the number of videos released by Al-Kataib during the past months.[11] However, the assassination attempt on 'Al-Amriki' broadcasted live on his Twitter account represents a set-back for Al-Shabaab's image among the international jihad community,[12] in addition to the general discontent expressed by fighters (see above annex 1.3).

[8] "A Message to the Kenyan Public" by Mukhtar Au Al-Zubeir a.k.a. Godane, HSM Press Office, 3 March 2013.

[9] Screenshot from Al Kataib video entitled "O Muslim, fight!", posted on jihadist forums on 19 October 2012.

[10] "Mujahideen Moments", Al-Kataib foundation video, released on 25 February 2013; in addition to "Kenyan POWS: The Final Message", Al-Kataib media foundation video, released on 23 January 2013.

[11] Seven videos were released by Al-Kataib during the months of April and May 2013; an equal number of videos were released by Al-Kataib over a period of 5 months between November 2012 to March 2013.

[12] See annex 1.6.b for photographs of 'Al-Amriki' posted on his twitter account, and posts related to his alleged assassination attempt.

Al-Shabaab local media strategy

11. For the Somali public, Al-Shaabab propagates information mainly through its radio stations, Al-Andalus and Alfurqaan, and their respective websites,[13] in addition to three other websites, Amiirnuur, Somalimidnimo, and Somalimemo, as well as the Shahada News Agency. These media outlets produce information mostly in Somali but also in English, and often feature well-known Al-Shabaab commanders holding senior positions promoting the group's actions. They regularly quote statements from Abu Mus'ab or Ali Dhere claiming responsibility on behalf of Al-Shabaab for the latest operations destabilizing Somalia.

Sheikh Abdulaziz 'Abu Mus'ab' holding a press conference on 24 March 2013, according to Al-Shabaab website Somalimidnimo[14]

12. According to a poll conducted in Mogadishu in December 2012 by the African Union/Information Support Team (AU/IST), 56 per cent of the respondents reportedly listen "daily" or "several times a week" to radio Al-Andalus.[15]

13. Most of the time, Al-Shabaab radio stations are the sole media agencies able to report in Al-Shabaab controlled areas, where journalists from other outlets are not authorized to travel, creating therefore a captive audience. Nevertheless, the fact that the majority of radio listeners in Mogadishu is still listening to radio Al-Andalus, may indicate continuing support to Al-Shabaab in areas controlled by the Somali Government.

[13] www.calamada.com and www.radioalfurqaan.com.

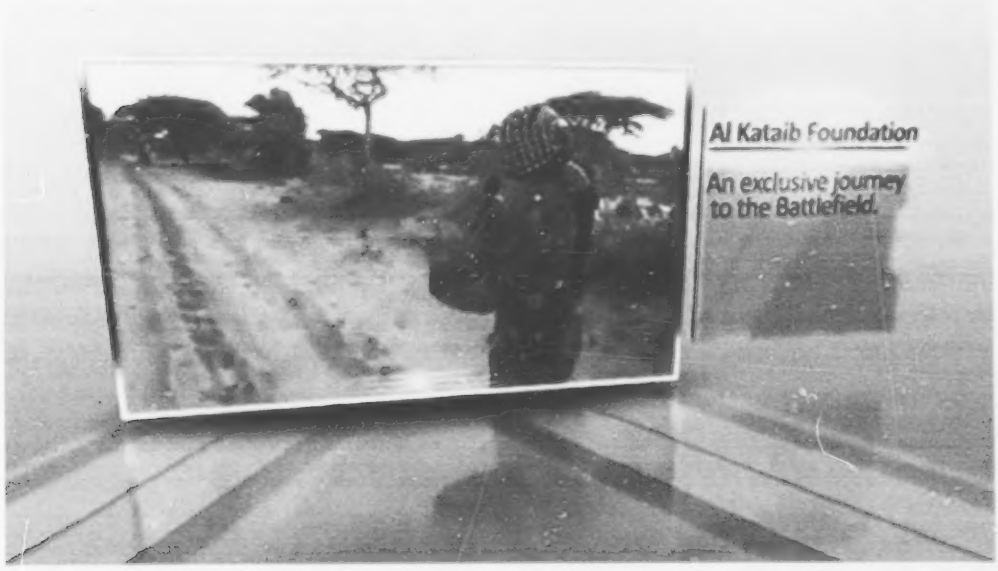
[14] Accessed at http://somalimidnimo.com/salafi/2013/03/alshabab-military-spokesman-sh-abdulaziz-abu-muscab-held-a-press-conference/ on 28 April 2013.

[15] IST Briefing Note 007, 25 April 2013, page 37; the question asked to a sample of 1,351 radio listeners was "how often do you listen to the following stations?", and the choice of replies was as follows: BBC Somalia Service, Shabelle, Radio Mogadishu (Government radio), VOA Somalia Service, Kulmiye, Radio Bar-Kulan and Al Andalus.

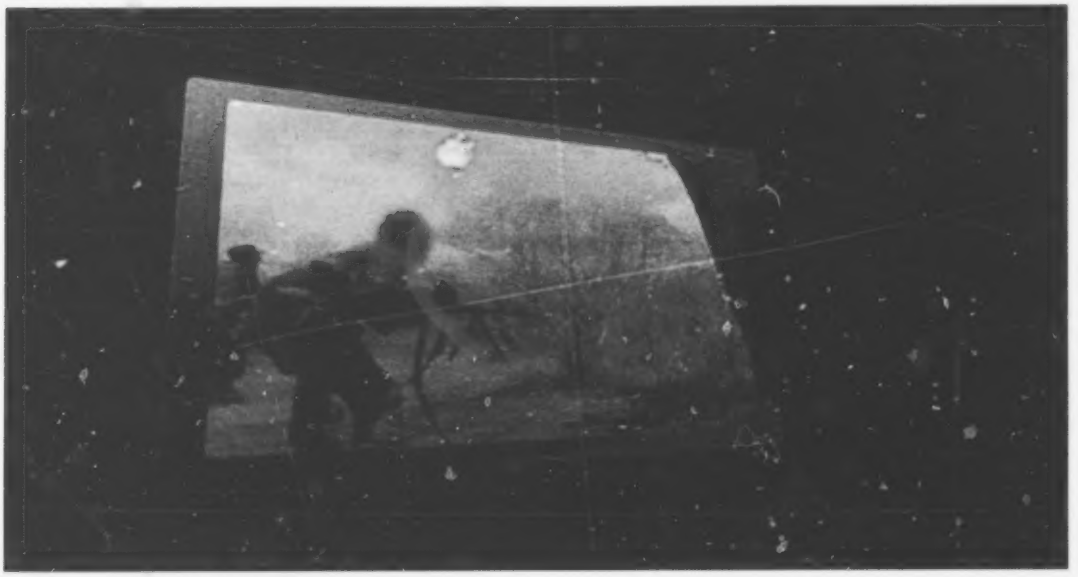
Annex 1.6.a: Comparison between Al-Kataib design for Al-Shabaab and a video entitled "Our Shariah, Loyalty, and Steadfastness Until Victory" released on 5 December 2012 by the al-Mulathameen Brigades of Mokhtar Belmokhtar, active in the Sahel region

Screenshot from "Our Shariah, Loyalty, and Steadfastness Until Victory", featuring Mokhtar Belmokhtar, posted on jihadist forums on 5 December 2012

Screenshot from Al Kataib video entitled "The Burundian bloodbath, Battle of Dayniile", posted on jihadist forums on 11 November 2011

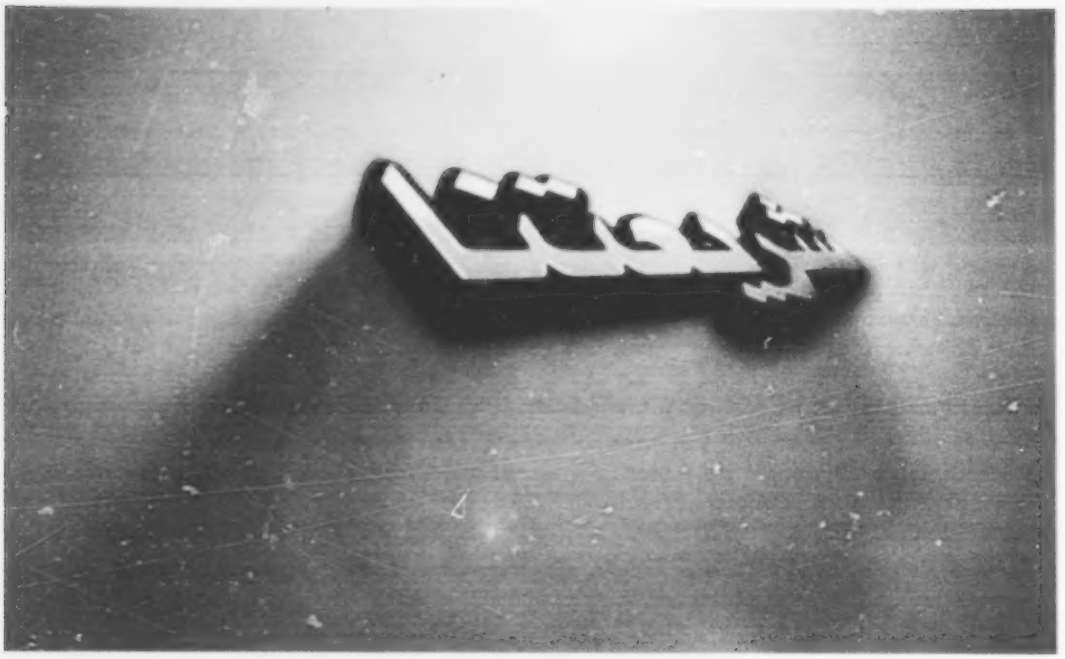


Screenshot from Al Kataib video entitled "Disperse Those who are Behind Them", posted on jihadist forums on 19 April 2013



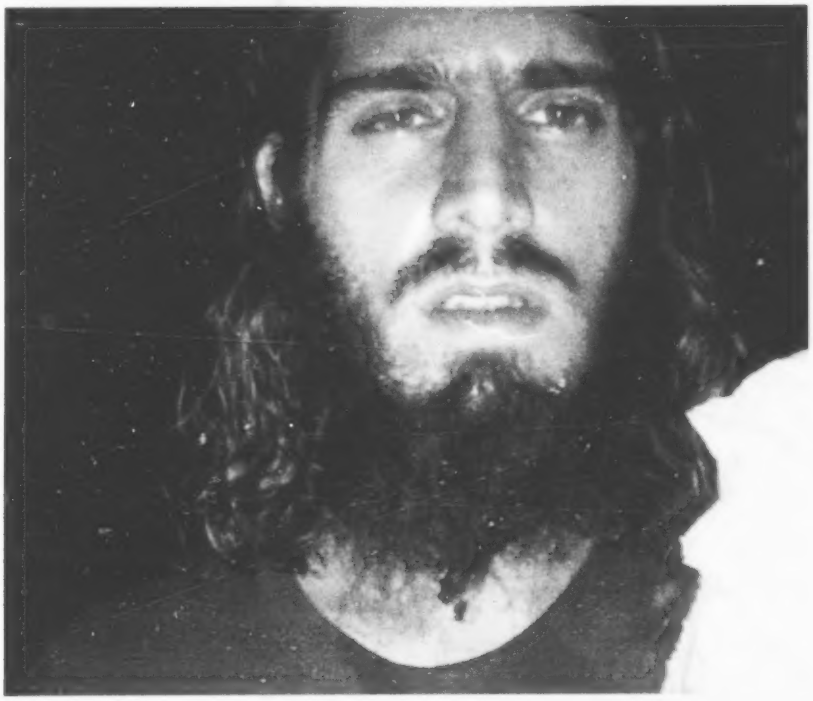
Screenshot from Al Kataib video entitled "The Year of Unity, 1433", posted on jihadist forums on 15 April 2012, featuring Al-Shabaab's spokesperson 'Ali Dhere'

Screenshot from "Our Shariah, Loyalty, and Steadfastness Until Victory"



Screenshot from Al Kataib video entitled "The Year of Unity, 1433"

Annex 1.6.b: Photographs of Omar Hammami after an alleged assassination attempt, and related messages posted on the twitter account @abuamerican



abu m @abumamerican 25 Apr
like this qfs mobi/f566339
Expand

abu m @abumamerican 25 Apr
btw type http //qfs mobi/ in front of those numbers
Expand

abu m @abumamerican 25 Apr
f566332
Expand

abu m @abumamerican 25 Apr
f566329
Expand

abu m @abumamerican 25 Apr
first of 4 pics f566324
Expand

abu m @abumamerican 25 Apr
@theheroweneed pistol not sure calibre
View conversation

abu m @abumamerican 25 Apr
@vijaygkg @jarret_brachman No windpipe or artery peroxide, gauze, and pressure a perimeter has been made
View conversation

abu m @abumamerican 25 Apr
@jarret_brachman cheaper than a drone, but expensive on shabab's credibility the shooter's been i d 'ed as known shabab assassin
View conversation

abu m @abumamerican 25 Apr
sitting in tea place then 3 shots behind to left pistol i think they ran
Expand

abu m @abumamerican 25 Apr
just been shot in neck by shabab assassin not critical yet
Expand

Annex 1.7: Case study: Al-Shabaab in "Puntland"

14. During the reporting period, Al-Shabaab and the "Mujahidiin of the Golis Mountains", or Al Shabaab North East (ASNE), have conducted numerous operations in the Puntland region of Somalia, including hit-and-run raids on defensive positions and checkpoints, ambushes, assassinations and IED attacks.

15. The following list of incidents attributed to Al-Shabaab captures the range of operations threatening peace and security in Puntland:[1]

- On 3 October 2012, in Bosaso, three Al-Shabaab suspects were arrested in a house located 500 metres from the UNHCR compound, with two pistols, two hand grenades, five telephones, three remote control devices and additional materials to assemble IEDs. The suspects reportedly admitted to planning to conduct IED attacks and assassinations in Bosaso.
- On 17 November 2012, two *Amniyat* commanders were arrested in Galkayo with a suicide vest, grenades and IED components, including explosives. Mohamud Nuh Aden, a.k.a. 'Abu Hafsa', was reportedly the head of assassinations for *Amniyat*, and Abdirizak Hussein Tahlil, a.k.a. 'Ilka'ase', was a logistics officer.

Photograph of the suicide vest recovered in Galkayo following the arrest of 'Abu Hafsa' by Puntland security forces on 17 November 2012[2]

- On 4 December 2012 at 21:20 hours local time, several groups of Al-Shabaab fighters conducted coordinated attacks with mortars and firearms, from multiple directions, against Puntland forces' positions in Laag, located 27 kilometres south of Bosaso on the road to Garowe, and Sugure, a village with an advance post of Puntland security forces 5 kilometres west of the main road and 12 kilometres east of Galgala town. Two Puntland soldiers were

[1] List of incidents based on confidential UN and NGO reports.
[2] See annex 1.7.a for additional photographs.

killed. ASNE also planted several radio-controlled IEDs on the road, targeting reinforcements rushing to the scene from Bosaso, killing an additional 10 Darawish soldiers.

- On 7 and 12 December 2012, follow-up attacks were conducted by ASNE in the same areas.
- On 4 January 2013 at 22:30 hours local time, ASNE fighters attacked simultaneously checkpoints at the southern entrance of Bosaso and Laag, killing one Puntland soldier.
- On 17 January 2013, a large number of Al-Shabaab fighters besieged again the Puntland security compound in Sugure, engaging Darawish soldiers with mortars and heavy machineguns.
- On 10 February 2013, a suicide vehicle-borne IED detonated in front of the police station in Galkayo, killing two bystanders and injuring the Puntland Police Force Deputy Commissioner, General Muhiyadin Ahmed Muse.
- On 15 February 2013, an *Amniyat* operative shot and killed the Mufti of Puntland, Sheikh Abdulqadir Nur Farah, at the Beder Mosque in Garowe. The surrounding crowd arrested on site the shooter and his accomplice (see below for more details).

16. In response, Puntland security forces conducted several operations, including incursions by foot in the environs of Galgala town, sometimes supported by the air assets of the PMPF (see annex 6.2), and arrested dozens of suspected members of Al-Shabaab. At the time of writing, Puntland jails held around 150 Al-Shabaab members, either already convicted or awaiting judgement. On 15 January 2013, a crewmember of the PMPF helicopter was wounded during a security operation and medically evacuated to Djibouti.

Photograph of Puntland security forces tracking Yassin Kilwe, ASNE leader, in the region of Dudun, Galgala mountains, on 7 December 2012[3]

17. It is the assessment of the Monitoring Group that Al-Shabaab suffered severe setbacks as a result of Puntland security services increased pressure on the ground, in addition to the defection of several key ASNE commanders, which may have degraded significantly Al-Shabaab's operational capacity in Puntland.

[3] Photographs provided by the Puntland Presidency during a visit of the Monitoring Group in Bosaso, 10 December 2012; see annex 1.7.b for additional photographs.

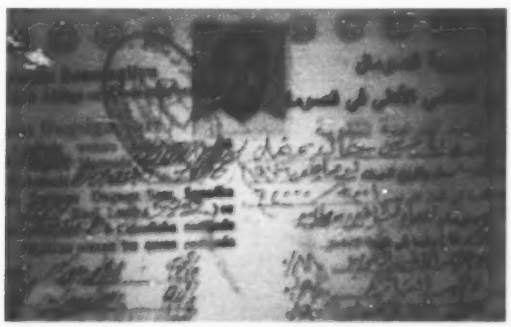
Al-Shabaab North East structure and leadership

18. Based on interviews with Al-Shabaab defectors and prisoners, and meetings with Puntland security officials,[4] Al-Shabaab is currently estimated to comprise about 200 fighters in its Region 5, which covers the area east of the Sanag and Bari regions of Somalia (while Galkayo is included in region 2, as indicated in the Al-Shabaab military structure in annex 1.2.). At present, ASNE is divided into two groups:

- Between 120 and 150 fighters are deployed in the area around Galgala town, referred to as the Al-Madow region, which includes eastern Sanag and the Golis mountain range; and
- Between 50 and 80 fighters are deployed in the district of Qandala, referred to as the Al-Bari region.

19. Since 2010, the regional leader of the "Mujahidiin of the Golis Mountains" has been Yassin Khalid Osman, a.k.a. 'Yassin Kilwe', 'Kilwe' or 'Yabo'. As previously reported by the Monitoring Group,[5] 'Kilwe', a member of the Warsengeli / Dubays / Hanif sub-clan and a close relation of Godane, was sent to the Galgala region of Puntland by the Amir in early 2010 with 40 fighters to assume the leadership of Mohamed Sa'id 'Atom's' militia group, which he had effectively done by mid-2010. In early 2011, Atom left Puntland and apparently did not return.

Copy of Kilwe's professional identity card as a school teacher



20. The purpose of the mission assigned to 'Kilwe' by Godane was to align the insurgency in Puntland with Al-Shabaab, effectively excluding any possibility of negotiating with Puntland authorities, expand recruitment and local support beyond its existing clan constituencies, and

[4] Meeting with Puntland security officials, Garowe, 9 November 2012; interview with a Yemeni prisoner, Garowe, 10 November 2012; interview with an Al-Shabaab defector, Garowe, 11 November 2012; interview with an Al-Shabaab defector, Bosaso, 9 December 2012; interview with an Al-Shabaab defector, Bosaso, 23 January 2013; interview with an Al-Shabaab prisoner, Bosaso, 23 January 2013; interview with a suspected member of Al-Shabaab, Bosaso, 24 January 2013; interview with an Al-Shabaab prisoner, Bosaso, 24 January 2013; interview with an Al-Shabaab prisoner, Bosaso, 24 January 2013; meeting with Puntland security officials, Garowe, 26 January 2013; meeting with Puntland security officials, Nairobi, 28 January 2012; interview with a Yemeni suspected member of Al-Shabaab, Garowe, 18 March 2013; and interview with an Al-Shabaab prisoner, Garowe, 18 March 2013.

[5] S/2011/433, paragraphs 30 to 45, and S/2012/544, paragraph 30 and annex 2.3.

reorganize the smuggling routes from Yemen to reduce costs, since 'Atom' had a reputation for overcharging Al-Shabaab, and gain overall effectiveness.

21. According to a registry seized during the raid on 'Atom's camp in Dindigle, near Galgala town, conducted from July to September 2010 by Puntland security forces, the composition of his militia was clearly dominated by members from the Warsengeli, Dhulbahante and Dishishe sub-clans of the Darod clan.[6] In fact, they represented 49 of the 67 fighters listed in 'Atom's registry, which also indicated information such as year and place of birth, numbers of wives, and military specialties. The geographic origin of 37 fighters was either Maraje, 'Atom's hometown located 12 kilometres southwest of Galgala town, or Galgala town itself (see annex 1.7.c for an excerpt of this registry).

22. According to a close relative of Sheikh 'Atom', the Al-Shabaab flag seized in Galgala by Puntland forces in September 2010 and displayed by Puntland soldiers in a picture previously published by the Monitoring Group,[7] was the one brought by 'Kilwe' from the south and planted at the camp in spite of strong opposition from 'Atom' and his closest commanders, including Abdiraham Faaris (a.k.a. 'Gadafhi'), who has since joined 'Kilwe's group.[8]

23. 'Kilwe' officially took control of 'Atom's group following his return to the Galgala area in January 2012, after a six months absence in southern Somalia, during which period Ali Ahmed Hussein, a.k.a. 'Ali Ga'amey', served as the acting force commander. In February 2012, in his capacity as the "Amir of the Mujahidiin of the Golis Mountains", 'Kilwe' released two separate statements through Al-Shabaab media outlets.

24. First, on 25 February 2012, in an audio message to radio Al-Andalus, he stated:

> I want to praise God for the unity of our Shabaab brothers with al-Qaida fighters. I want to declare today that we are joined with our al-Shabaab brothers who are devoted to the jihad in Somalia.

25. Second, on 27 February 2012, in a written communiqué in English published by the Al-Kataib foundation, he stated:

> We the mujahidin in the Golis mountains declare on 3 Rabi Al-Akhir 1433 A.H. our joining to Harakat Al-Shabaab Al-Mujahideen, I Yassin Khalid Othman AKA Yassin Kilwe Amir of the mujahidin in the Golis mountains give Bayaa to Amir Harakat Al-Shabaab Al-Mujahideen sheikh Mukhtar Abu Al-Zubair.

26. According to an ASNE defector interviewed by the Monitoring Group, 'Kilwe's' leadership has changed the configuration of the force and the way it operates. For example, the *mujahidin* do not rely anymore on the local population, since 'Kilwe' considers that "they can be informant for the Puntland government".[9] Therefore, the group has developed its own logistic networks to be self-sufficient and not dependant on its environment. In addition, strategic and

[6] A complete copy of the registry was obtained by the Monitoring Group.
[7] S/2011/433, paragraph 37, figure II.
[8] Interview with the Monitoring Group, Bosaso, 24 January 2013.
[9] Interview with an Al-Shabaab defector, Bosaso, 23 January 2013.

operational decisions are not taken by consulting the group. Rather, instructions are given in face-to-face meetings with individual members, and only partial information is provided.

27. The recent expansion of ASNE activities to areas dominated by the Darod / Majerteen / Ali Saleebaan clan, mainly in the districts of Qandala and Iskushuban of the Bari region of Somalia, may be due to two other individuals. 'Ali Ga'amey', a 45 year-old school teacher from the Harti / Tiinle clan, was appointed the deputy leader of the "Mujahidiin of the Golis Mountains" and placed in charge of finance and administration. In April 2012, Sheikh Abdulqaadir Muumin, a 55-year old charismatic preacher from the Ali Saleebaan sub-clan and an important ideologue for Al-Shabaab, formerly resident in Sweden and the United Kingdom, became the group's ideological leader. Furthermore, according to Puntland security officials, the Omar Ali sub clan of the Ali Saleebaan has been by contrast specifically targeted by Al-Shabaab, with six of their elders assassinated over the past years, accused of supporting to the Puntland Government.[10]

Structure of ASNE according to information provided during interviews with ASNE defectors and prisoners and by Puntland security officials

28. For a couple of years, a group of between 50 to 80 fighters, commanded by Abdirahkim Dhuqub, a 38 year-old school teacher from the Ali Saleebaan / Ismael Ali sub-clan of the Majerteen clan, has been operating in the Al-Bari region of Puntland. According to Puntland intelligence sources, Dhuqub is Muumin's cousin and took part in the 2004 formation, with

[10] Meeting with Puntland security officials, Garowe, 26 January 2013; one of the officials also referred to the assassination on 20 November 2011 in Bosaso of Sultan Isse Hassan Omar, elder of the Ali Saleebaan / Bicidyahan Ali sub clan, and a close support of the Puntland Government (see also paragraph 38 of S/2011/433).

'Ali Ga'amey' and 'Atom', of the first Al-Itihaad cell in Bosaso on the occasion of a visit of Aden Hashi Farah 'Ayrow', the former Amir of Al-Shabaab killed in 2007.[11]

29. This group, based in the area of Balidhidin, a small village located 65 kilometres northeast of Iskushuban, has close ties to a pirate group headed by Mohammed Mussa Saeed 'Aargoosto', a pirate commander from the Ali Saleebaan / Ismael Ali sub-clan. He is associated with pirate kingpin Isse Mohamoud Yusuf 'Yullux' (a.k.a. 'Isse Yulux') from the Ali Saleebaan / Bicidyahan Ali sub-clan related by family to Muumin (see also annex 3.1.c). According to the same intelligence source, 'Aargoosto' and 'Isse Yulux' provided financial, logistical and military support to Dhuqub's group.[12]

30. More specifically, detailed information was provided to the Monitoring Group concerning an agreement concluded in March 2013 between 'Isse Yulux' and two associates of Dhuqub, namely Abdikarim Ahmed Ibrahim and Ahmed Mohamed Omar, both from the Ismael Ali sub-clan. The arrangement specified the 'Isse Yuluz' would provide 30 per cent of ransom payments to ASNE. For example, considering the 15 million USD payment for the release of the MT Smyrni and MV Royal Grace, respectively on 9 and 11 March 2013, Dhuqub's group should have received a share of about 4.5 million USD.[13]

Amniyat activities in Puntland

31. According to an *Amniyat* operative who confessed to the assassination of Sheikh Abdiqadir Nur Farah in Garowe on 15 February 2013, a prominent Somali Islamic scholar known for preaching against Al-Shabaab, the "Mujahidiin of the Golis Mountains" were not directly involved.[14] This fact was also confirmed by an ASNE defector, who stated that "Kilwe [was] aware, but he [was] not the one planning the operation",[15] which further confirms that *Amniyat* operates independently of the rest of Al-Shabaab, even in Puntland.

32. In the sequence of events, the *Amniyat* assassin first reached Galkayo in November 2012, where he was operating alone and financed through Sahal, a money remittance company, by one 'Mulid Gasham' as the *Amniyat* finance and logistics officer for Galkayo and Las Anod. The assassin then received instructions by telephone from 'Daud', who he knew to be the head of *Amniyat* in Somalia, to relocate to Garowe on 11 January 2013 for "another job".[16] In Garowe, he was told to contact 'Mohamed', another *Amniyat* operative based in Garowe. The rest of the operation was narrated to the Monitoring Group as follows:

> The day before the assassination, I went to the Sheikh's house with Mohamed without knowing that he was the target. Then we saw the Sheikh and Mohamed told me that he was the target.

[11] Meeting with Puntland security officials, Garowe, 26 January 2013.
[12] Meeting with the Monitoring Group, Nairobi, 28 January 2013.
[13] Ibid.
[14] Interview with an Al-Shabaab prisoner, Garowe, 18 March 2013.
[15] Interview with an Al-Shabaab defector, Bosaso, 23 January 2013.
[16] According to a regional expert on Somalia, 'Daud' could possibly be identified as Abdilaahi Haji D'auud (Murosade), reportedly *Amniyat* head of assassinations / suicide squads; email communication, 5 June 2013.

> On Friday at noon, Mohamed came to my place with a plastic bag containing two Makarov pistols with two extra magazines, each containing eight bullets. There was also three grenades.
>
> Around 15:00 hours, we went to the mosque, which was 150 metres away of the Sheik's house.
>
> Initially we planned to wait for him outside and kill him in the street, and started waiting. But the loudspeaker of the mosque was off, so I had to check inside if the Sheikh was in. I saw him praying inside the mosque and at a distance of ten meters, shot at him once and run away.[17]

33. This assassination took place five days after a suicide vehicle-borne IED attack targeted the Deputy Police Commissioner in Galkayo, for which Al-Shabaab military spokesman, Sheikh Abdulaziz 'Abu Mus'ab', claimed responsibility. According to the Amniyat operative, the two attacks were supposed to occur simultaneously, indicating that *Amniyat*'s top commanders or Godane himself had ordered both operations, without the participation or perhaps prior knowledge of the ASNE leadership that would have been informed after the decision was taken.[18]

34. Furthermore, these two operations took place in spite of the arrest of two *Amniyat* commanders on 17 November 2012 and a substantial seizure of IED components, including one suicide vest and explosives, as described above. This indicates the resilience of Al-Shabaab and its capacity, even in Puntland where it has a less significant presence than in Mogadishu.

Analysis and conclusions

35. The knowledge of the Monitoring Group regarding the current activities, structure and status of Al-Shabaab in northern Somalia was extensively facilitated through the cooperation of Puntland authorities, which provided access on the ground to evidences and prisoners.

36. Consequently, the Monitoring Group has found that its concerns about Al-Shabaab significantly expanding its presence and conducting large-scale military operations in northern Somalia, as expressed in its previous report (S/2012/544), have not yet materialized. Since Al-Shabaab still controls most of southern Somalia, it does not seem to have sufficient resources to relocate more fighters and equipment to the Golis mountain range without overstretching its means.

37. However, Al-Shabaab has clearly reinforced its presence and its logistic capacities in both the Almadow and Albari regions of the north of Puntland, as well as in Galkayo. Therefore ASNE represents currently the main threat to peace and security in Puntland.

38. Consequently, the Monitoring Group recommends to the Committee that it proceeds without delay to designate the leadership of ASNE for targeted measures.

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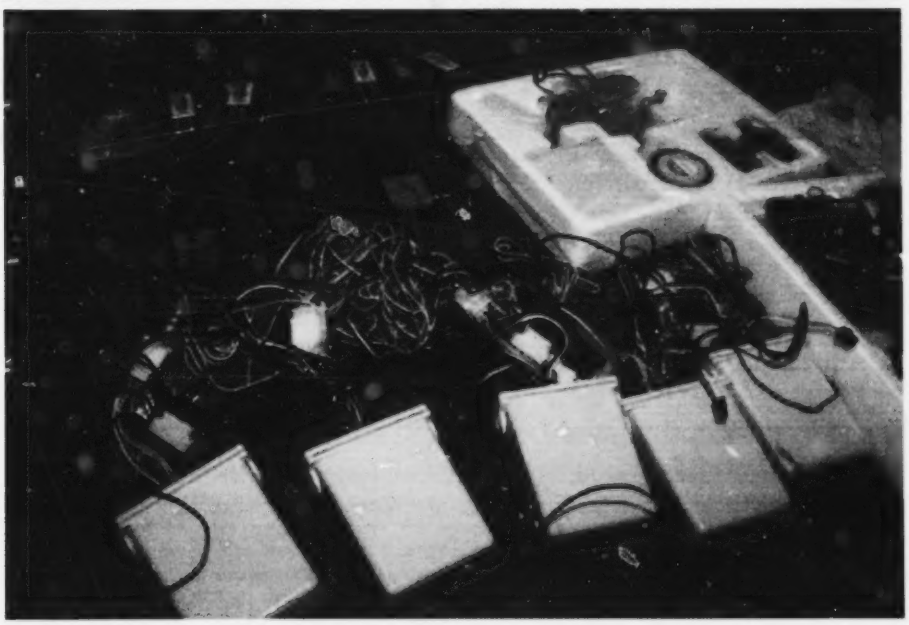
[17] Interview with an Al-Shabaab prisoner, Garowe, 18 March 2013.

[18] Ibid.

Annex 1.7.a: Photographs of the material seized during the arrest in Galkayo on 17 November 2012 of Mohamud Nuh Aden, a.k.a. 'Abu Hafsa' and Abdirizak Hussein Tahlil, a.k.a. 'Ilka'ase'[1]



[1] Photographs provided by the "Communications office" of the Puntland Presidency, email communication, 18 November 2012.

Photograph of Mohamud Nuh Aden, a.k.a. 'Abu Hafsa'

Photograph of Abdirizak Hussein Tahlil, a.k.a. 'Ilka'ase'

Annex 2

Al-Shabaab as a regional and international threat

Annex 2.1: Al Hijra (formerly known as the Muslim Youth Centre) (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 3

Spoiler networks in Somalia

Annex 3.1: Spoiler networks in northern Somalia

Illegal fishing, private security operations and weapons smuggling

1. Following the decline in pirate hijackings of merchant vessels since 2012, pirate leaders have turned towards unlicensed fishing operations in Somali waters as a source of revenue.

2. Puntland officials estimate that tens of thousands of tonnes of illegal catch has been fished from Puntland's coastline between 2012 and 2013 by hundreds of illegal fishing vessels. The vessels are predominantly Iranian and Yemeni owned and all use Somali armed security.[1] The Monitoring Group has inspected at least four forged fishing licenses registered between May and October 2012 that have been confiscated from unlicensed Iranian vessels by international naval forces (see annex 3.1.a). Local fishermen from different communities along the Puntland coast between Las Qoray and Hafun have confirmed that the private security teams on board such vessels are normally provided from pools of demobilized Somali pirates and coordinated by a ring of pirate leaders and associated businessmen operating in Puntland, Somaliland, the United Arab Emirates (UAE), Oman, Yemen and Iran. The security teams assist the vessels to cast nets several kilometres long and often open fire on unprotected fishermen in order to drive out competition. The prize is often lucrative and includes large reef and open water catch, notably tuna.[2]

3. The Monitoring Group has received several unconfirmed reports that some of the illegal fishing vessels are also being used as cover for weapons smuggling. While the Monitoring Group has been unable to verify any particular vessel that has been used for both illegal fishing and weapons smuggling, it has nonetheless established other connections between the illegal fishing networks and networks involved in the arms trade and connected to Al-Shabaab in northeastern Somalia.

4. The Monitoring Group has received several reports of the traffic of narcotics and humans aboard vessels being used for illegal fishing, but has not received any specific evidence or firsthand testimony to that effect.

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[1] Puntland officials estimate up to 180 illegal Iranian, and up to 300 illegal Yemeni vessels are fishing Puntland waters, but also allege a small number of Chinese, Taiwanese and Korean vessels, as well as some European-owned vessels, are engaged in illegal fishing. International naval sources corroborate the prevalence of Iranian and Yemeni vessels amongst unlicensed vessels. On 23 April 2013, Puntland authorities detained five Iranian vessels fishing illegally off the coast of Somalia, and arrested approximately 80 Iranian crewmembers and 12 armed Somali security guards. Interviews with: fishing community leaders on 8 December 2012, Puntland Presidency official on 15 December 2012 and Puntland fisheries Ministry on 8 April 2013.

[2] Interviews with 6 separate fishing community leaders, 8 December 2012. Local fishermen reported up to 30 incidents of private security teams firing on unprotected fishermen, crushing their nets and ramming their skiffs between September and December 2012.

The Qandala — Hafun network

5. This network operates between the coastal towns of Qandala and Hafun in northeast Puntland, an area that is a known hub for piracy and arms smuggling (see annex 3.1.b for map).

6. The two principal ringleaders of the illicit fishing and security operations in this area are pirate leaders Isse Mohamoud Yusuf 'Yullux' and Mohammed Mussa Saeed 'Aargoosto' (see annex 3.1.c for profiles). Both men are from the Darod / Majerteen / Ali Saleebaan clan of Sheikh Abdulqaadir Muumin, who is the ideological leader of Al-Shabaab Northeast[3], and both men originally come from Qandala in the province of Bari, where Puntland authorities seized a major weapons cache in October 2012 (see annex 6.1 for more specific details on this case).

7. Aargoosto recruits unemployed youth, including former pirates, for the private security operations, sourcing manpower from his strongholds of Qandala, Alula and Hafun at $50 a head per voyage.[4] Yullux acts as an investor and broker in the illegal fishing enterprises, which are coordinated by Shahdon Ali Yare, a former fisheries and ports Minister from Puntland acting as a principal broker for Iranian businessmen and issuing fraudulent Puntland fishing licenses. Yullux also uses his offshore piracy network to interdict fishing vessels that are not protected by private security operations and has released a vessel on Yare's orders on at least one occasion.[5]

8. Telephone records of Yullux and Aargoosto indicate that they have both been in contact with the same telephone numbers in Oman, Yemen and Kenya, and both are in contact with several numbers in the UAE that are also in direct contact with Yare. In turn, Yare has been in direct telephone communication with at least three Iranian numbers and a satellite telephone used on board an Iranian vessel, the 'Arshia', which has been fishing illegally in Puntland's waters.[6]

9. In addition, a known collaborator of Yare's network, Musa Mirre Ali, is a signatory on a fraudulent fishing license inspected by the Monitoring Group (see photo 2 in annex 3.1.a). The Monitoring Group has also identified a Dubai-based businessman, Abdirizak Barre, acting as a broker between Yare and Iranian businessmen and has obtained evidence of telephone

[3] See Annex 1.6. and also S/2012/544, Annex 2.3 for more details on Muumin.

[4] Information on Aargoosto provided by fishing community elders from Qandala, Alula and Hafun, and an eyewitness who saw Aargoosto recruiting youth at Alula.

[5] Information on Isse Yullux provided by Puntland authorities and international naval intelligence. Information on Shahdon Ali Yare provided by one of his business associates, international naval intelligence, and fishing community elders. Fishing community elders have provided testimony that Aargoosto was arrested in 2008 or 2009 and transferred to an Iranian prison before being eventually released. Following his release a group of Iranian businessmen provided him with instructions to carry out private security operations for Iranian fishing vessels, and allocated 20 per cent of future profits for these operations. One UAE-based businessman with connections to Iran and himself involved in the illegal fishing business confirmed to the Monitoring Group that the pirate networks take 20 per cent of profits from illegal fishing, while the Iranian businessmen take 80 per cent. Iranian fishing vessels deliver their catch to Iran, Yemen and Oman.

[6] Information on the 'Arshia' and other Iranian vessels collected by international naval forces and Puntland authorities.

communications between Barre and Yare, as well as separate communications between Barre and Aargoosto.[7]

10. The operations of Aargoosto and Yullux appear to intersect with Al-Shabaab networks. Puntland authorities allege that Yullux donates funds to Abdulqaadir Muumin[8], and that he invests in weapons smuggling operations coordinated by Abdirahkim Dhuqub (also Majerteen / Ali Saleebaan), a known weapons trafficker for Al-Shabaab who is based in Qandala (see annex 3.1.c for Dhuqub's profile). The Puntland authorities also allege that Yullux signed an agreement in March 2013 with a Majerteen / Ali Saleebaan Al-Shabaab leader, Abdikarim Ahmed Ibrahim, to share piracy ransom fees for a vessel hidden in Aargoosto's stronghold of Alula. Ibrahim was also allegedly responsible for the October 2012 weapons delivery to Qandala mentioned above.

11. International naval sources have reported to the Monitoring Group that Aargoosto and Dhuqub are co-investors in a number of commercial enterprises and factories in Puntland. The close relationship between Aargoosto and Dhuqub is also substantiated by Puntland authorities who report that Aargoosto and Dhuqub collaborated in the ambush of Puntland armed forces in March 2011, near Hul Anod, where several Puntland soldiers were killed.

12. A link analysis chart of the Qandala – Hafun network appears at Annex 3.1.d.

The Las Qoray network

13. Illegal fishing networks are also operating in the Las Qoray area of northwestern Puntland (see annex 3.1.b for map), and are coordinated by a number of businessmen operating in Puntland, Somaliland and Dubai, and who have connections to Oman and Yemen. The Las Qoray network has ties to the Qandala-Hafun network and also appears to have connections to an arms smuggling ring with connections to Al-Shabaab in northeastern Somalia.

14. The Monitoring Group has identified one of the key individuals involved in coordinating the security details provided to illegal Iranian fishing vessels off the coast of Las Qoray as Yusuf Aalim Osman, a Bosaso-based businessman from the same Darod / Warsengeli / Dubeys sub-clan as Yassiin Khalid Osman (a.k.a. Yasiin 'Kilwe'), the military commander of Al-Shabaab in northeastern Somalia.[9]

15. Yusuf Aalim Osman personally supervises the security for at least 40 Iranian fishing vessels operating in the Las Qoray area.[10] He travels frequently to Salalah in Oman where he is

[7] Two Dubai-based Somali businessmen and a Dubai-based businessman involved in the illegal fishing trade all confirm Barre's role in coordinating Shahdon's operations.
[8] The Monitoring Group interviewed Muna Abdule, the wife of Muumin in Boosaaso prison on 24 January 2013. She was apprehended by Puntland authorities after visiting Muumin in an isolated part of Bari region of northern Puntland, and was reportedly carrying 40,000 USD in cash, given to her by Muumin.
[9] See Annex 1.6.; also see S/2012/544, Annex 2.3.
[10] Interview with Las Qoray-based fishing community elders, 8 December 2012.

known to coordinate activities with Ali Saleebaan clan businessmen connected to the Qandala-Hafun network, and to Aden, Yemen, where he is part of a soap exporting business controlled by Warsengeli / Dubeys businessmen.[11] Aalim's business partner in Dubai is Abdullahi Ahmed Mohamed, the manager of Najmat Alkhair General Trading L.L.C, a company that acts as a cover for private security operations and the supply of fishing vessels from Oman (see annex 3.1.e).[12]

16. Close connections exist between the Qandala-Hafun network and the Las Qoray network. Telephone records indicate that Yusuf Aalim Osman is in direct contact with telephone numbers in Oman, which in turn are directly in contact with pirate leaders Yullux and Aargoosto. The Monitoring Group dialled one of the Omani numbers in the Dubai office of Abdullahi Ahmed Mohamed, who then admitted the number's owner is an "agent broker" for himself and Yusuf Aalim Osman.[13]

17. Aalim has also been in direct telephone contact with at least three Omani numbers and a Yemeni number, which in turn are in direct contact with Abdi Khayre Mohamed, another Warsengeli / Dubeys businessman, who has been named in a previous Monitoring Group report for his role in smuggling weapons for Al-Shabaab in northeastern Somalia.[14] Since 2010, Abdi Khayre Mohamed has relocated much of his business activities to Berbera, in Somaliland.[15] In addition, Aalim's business partner, Abdullahi Ahmed Mohamed, is in direct telephone contact with Musa Jama Delef, a Warsengeli / Dubeys militia commander of Sanag province who has doubled as an official for the Somaliland security services[16] and who has close connections to Al-Shabaab networks in the Golis mountains, as explained below.

18. Abdi Khayre Mohamed has cultivated relations with Iranian businessmen involved in the illegal fishing trade. One eyewitness present at the Juba Hotel in Bosaso during the course of 2011 reported the presence of an Iranian businessman, known as "Mohammad", who had arrived in Bosaso on a maritime vessel in mid 2011.[17] Puntland authorities questioned the man, whose name according to his identity documents was Gol Mohammad Nosratzehi (see annex 3.1.f).

19. On the same occasion, another eyewitness confirmed that Nosratzehi introduced himself as an associate of both Abdi Khayre Mohamed and Shahdon Ali Yare. Nosratzehi explained that

[11] Interviews with Dubai-based Somali businessman associated with Aalim, 17 December 2012, and Puntland-based businessman associated with Aalim, 26 February 2013.
[12] Abdullahi Ahmed Mohamed confirmed that he is a business partner of Aalim in person to the Monitoring Group on 7 March 2013. Two other Somali businessmen based in Dubai, and associated with Abdullahi Ahmed Mohamed, also confirmed the same information.
[13] Call made on 11 March 2013.
[14] See S/2012/544, Annex 2.3, paragraph 11.
[15] A Somali business associate of Abdi Khayre Mohamed confirmed he met him in Berbera in January 2012 and that he has been based there for three years.
[16] Recent information obtained by the Monitoring Group suggests that Somaliland authorities have relieved Delef of his official functions.
[17] Interview with Juba Hotel resident, 26 February 2013.

he was in Bosaso to coordinate commercial fishing activities. The eyewitness at the Juba Hotel also confirmed he saw Nosratzehi meeting Mohamed Aydiid Jaama, the Deputy Chairman of the Bosaso Chamber of Commerce, who has already been identified by the Monitoring Group as an arms broker for Mohamed Sa'iid 'Atom', the former commander of Al-Shabaab in northeastern Somalia, as well as for the Ogaden National Liberation Front (ONLF).[18]

20. The Monitoring Group has received reports of the involvement of Mohamed Aydiid Jaama in at least one recent weapons delivery through to Erigavo, in the Sanag province of northern Somalia. According to eyewitness testimony, a skiff operated by Yemeni and Eritrean crewmembers landed in early January 2013 in the beach port of Hiis and offloaded large amounts of ammunition and PKM machine guns. This information has been independently corroborated by a confidential source in Somaliland.[19] According to one of the loaders, on the instructions of Mohamed Aydiid Jaama, the cargo was transferred to Erigavo, where Musa Jama Delef received it at a safe house. According to Al-Shabaab defectors' testimonies, Erigavo is a key weapons trading hub from where Al-Shabaab in northeastern Somalia sources its weapons.[20] In addition, a close confidant of Mohamed Sa'iid 'Atom' has confirmed that Delef used to be close to Atom during the armed struggle in the Golis mountain range.[21] A Somali weapons dealer who has traded in northeastern Somalia has also confirmed that Abdi Khayre Mohamed is still involved in weapons trading, and smuggles weapons cargoes to northern Somalia on dhows carrying soap exported from Yemen.[22]

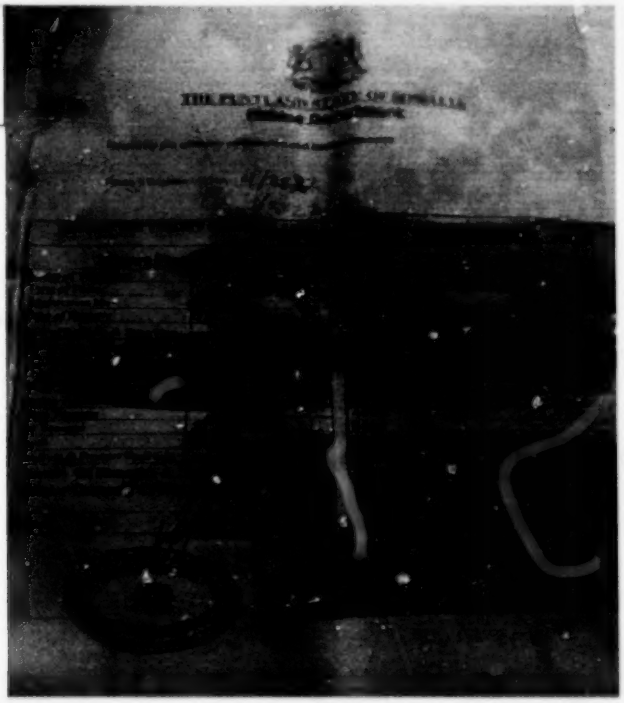
21. A link analysis chart of the Las Qoray network appears at Annex 3.1.g. In addition, a link analysis chart of the relationship between the Qandala – Hafun and Las Qoray networks appears at Annex 3.1.h.

[18] Interview with eyewitness, 27 February 2013. Also see S/2012/544, annex 2.3.
[19] Information received on 2 April 2013.
[20] Interview with defector, 23 January 2013.
[21] Interview, 24 January 2013.
[22] Interview, Mogadishu, 15 November 2012.

Annex 3.1.a: Samples of illegal fishing licences used by Iranian vessels

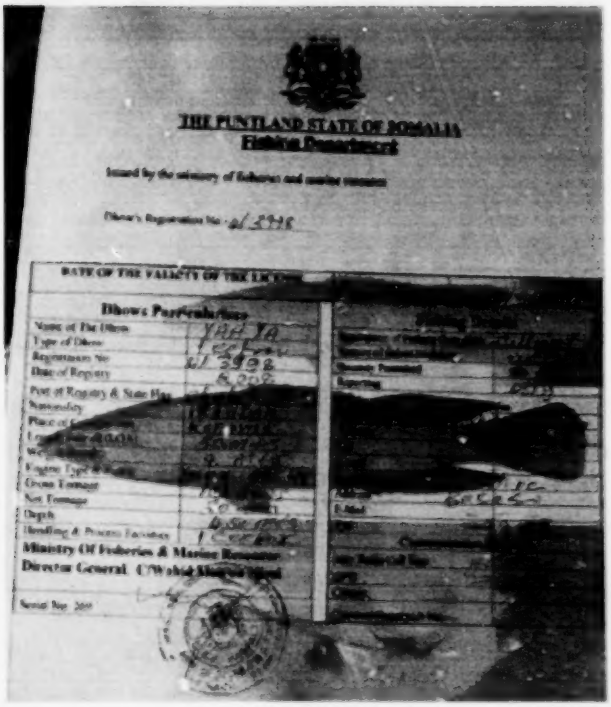
20 Oct 12

Dhow Jowhar



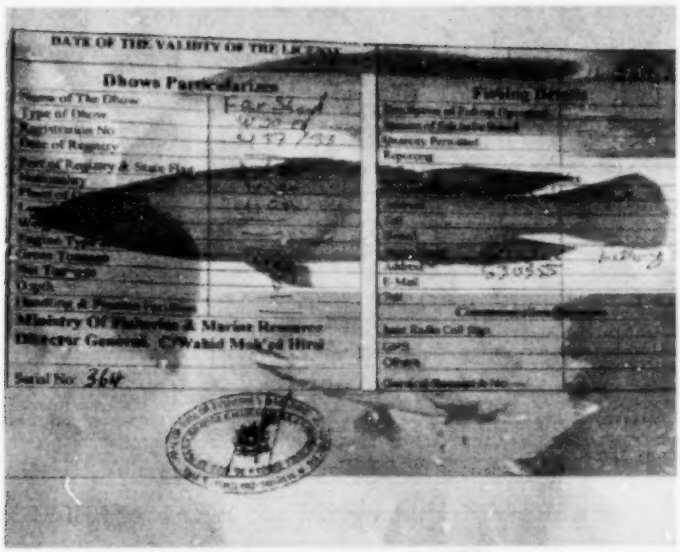
28 Sep 12

FV Artemis



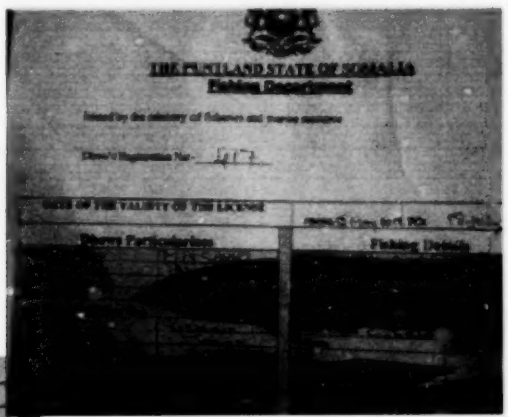
24 Sep 12

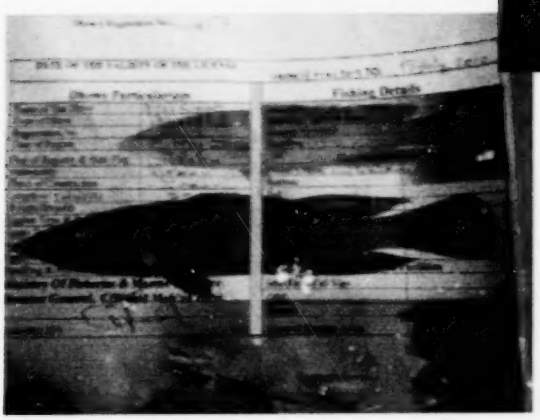
Dhow Farshad


DATE OF THE VALIDITY OF THE LICENSE
Dhows Particulars
Fishing Details
Ministry Of Fisheries & Marine Resource
Director General, C/Wahid Mo'd Hirsi
Serial No: 364

29 Sep 12

FV MIISAAQ





Annex 3.1.b: Map of northern Somalia

Annex 3.1.c: Profiles of Mohammed Mussa Saeed 'Aargoosto', Isse Mohamoud Yusuf 'Yullux' and Abdirahkim Dhuqub.

Mohammed Mussa Saeed 'Aargoosto'

Profile: Born in Qandala and from the Darod / Majerteen / Ali Saleebaan clan, Aargoosto is believed to be between the age of 35 and 40 years old. He is one of Puntland's major pirate investors. A former businessman trading lobster between Hafun and Garad, he turned to piracy in 2007 and was part of pirate attack teams before becoming an investor. Aargoosto is building a house in the South C neighbourhood of Nairobi, Kenya. Naval intelligence sources believe him to be involved in drug trafficking, using fishing vessels for which he is responsible for providing protection. Some sources have informed the Monitoring Group that he is involved in smuggling of migrants and foreign fighters between Somalia and Yemen, as well as weapons.

Involvement in Piracy: Aargoosto has been involved in the successful hijacking of the 'Golden Blessing' (28 June 2012), 'Marida Marguerite' (8 May 2010), 'Samho Dream' (4 April 2010) and 'Golden Nori' (28 October 2007).

Isse Mohamoud Yusuf 'Yullux'

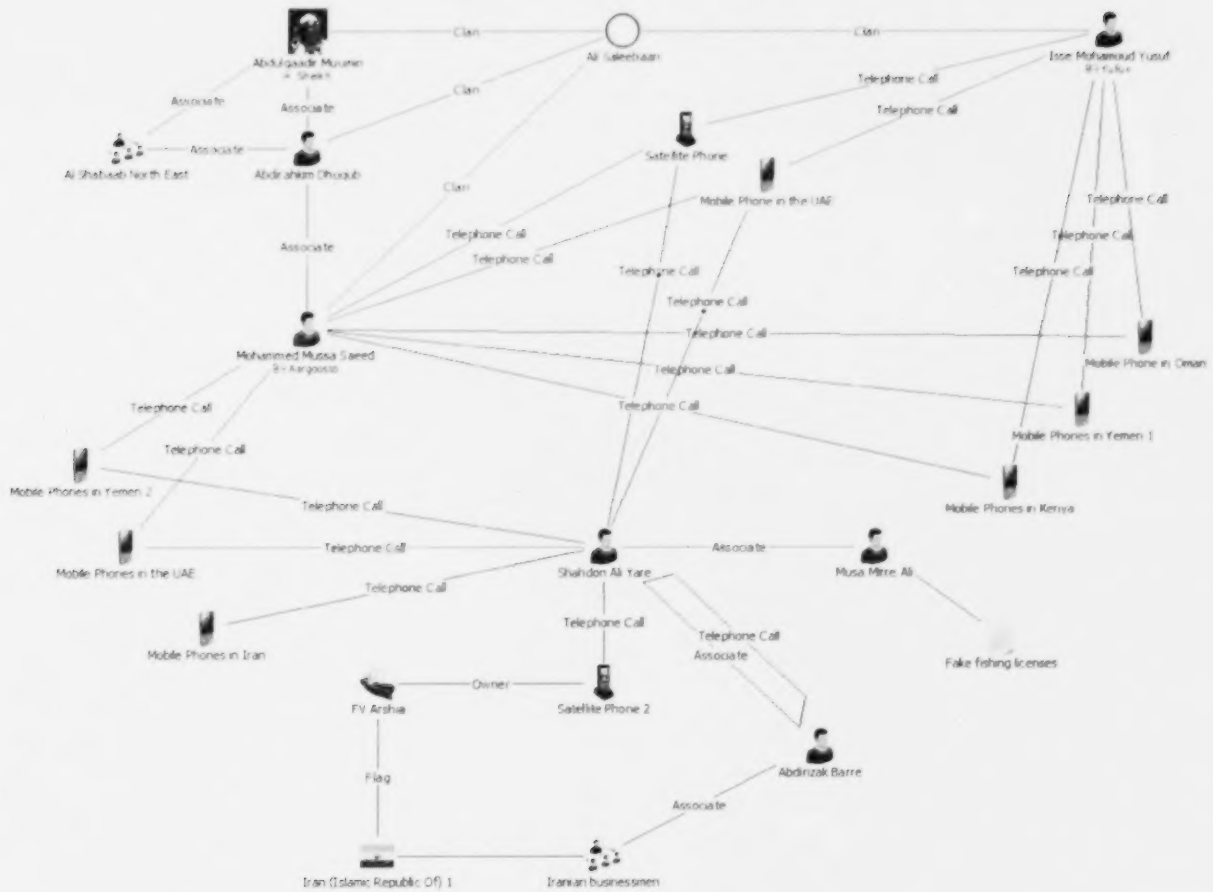
Profile: Isse Mohamoud Yusuf 'Yullux', born in 1963 and raised in Qandala, is from the Darod / Majerteen / Ali Saleebaan clan. He owned a small restaurant at the Isse Village, an area near to Hafun District where his clan lives. With revenues from the restaurant he started to trade in *khat*. He then joined pirate rings as a hijacker and as an investor in 2008. He is now a major pirate leader, possesses six 'technicals' and commands 50 men. He travels to Mogadishu on a regular basis and operates between Alula and Hul Anod.

Involvement in piracy: On 24 May 2008, Yullux and other investors are believed to have financed the capture of the Dutch/Danish vessel 'Amiya Scan', which was hijacked off the coast of Somalia and held at the coastal town of Eyl. The vessel was released with all of its crew on 24 June 2008, after a ransom 2,800,000 USD was paid. Isse Yullux received 30 per cent of the total amount. On 20 July 2008, he and other investors financed the capture off the Somali coast of the Panama bulk carrier vessel 'Stella Maris' and held the ship with 21 crewmembers at Eyl. The vessel was released along with the crew on 26 September 2008 after a ransom of 2,000,000 USD was paid. Again, he received 30 per cent of the total amount. On 2 June 2009, he and other investors financed the capture of the Egyptian cargo ship 'Blue Star' and held the vessel with 28 crewmembers at the coastal town of Hafun. The vessel was released along with the crewmembers on board on 5 March 2009, after a ransom of 1,780,000 USD was paid. On this occasion, he received 50 per cent of the total amount. On 3 March 2010, he and other investors financed the capture of the Saudi oil tanker 'Al-Nisr Al Saudi' off the coast of Somalia with 13 crewmembers on board. The vessel was held at the coastal town of Bargal and released on 7 December 2010, after a ransom of 7,000,000 USD was paid. Again, he received 50 per cent of the total amount. As of the middle of 2012, Isse Yullux and his team hijacked the 'Royal Grace' and 'Smyrni' tankers, which have been anchored between Bargal and Hafun.

Abdirahkim Dhuqub

Profile: Dhuqub is widely known to be a military operator for Al-Shabaab and involved in infiltrating weapons stocks into northeastern Somalia. He took part in the 2008 fighting against Ethiopia during the battle of Mogadishu. His is based in Qandala coastal town, around which would be also located training facilities for the security section (*Amniyat*) of Al-Shabaab North East. Dhuqub travels regularly from Qandala to Hul Anod.

Annex 3.1.d: The Qandala — Hafun network


Clan
Clan
Clan
Clan
Associate
Associate
Associate
Associate
Associate
Associate
Telephone Call
Telephone Call
Telephone Call

Annex 3.1.e: Corporate records of Najmat Alkhair General Trading L.L.C

DUBAI CHAMBER

DATE 15/04/2013

Company Profile

Member Number	86681		
Company Name	NAJMAT ALKHAIR GENERAL TRADING L.L.C		
Nationality	United Arab Emirates		
License Number	556265	**License Issue Auth.**	Department of Economic Development
Registration Date	24/04/2004	**Commercial Reg No**	67295
Legal Status	Limited Liability Company		

ADDRESS

Po Box Number	64642	DUBAI			
Phone	2715548	**Fax** 2725059	**Email Address**	aashaam@hotmail.com	
Area	Al Daghaya		**Street**	Naif Street	
Building Name	Ali Jaffar Az Zarawani Sons Bldg.				
License Issue Date	21/04/2004		**License Expiry Date**	20/04/2013	
Membership Renewal Date	06/06/2012		**Membership Expiry Date**	20/04/2013	
No Of Employees			**Authorized Capital**	300,000	

ACTIVITIES

General Trading

PARTNERS

		%	
SHARIFA JASSIM MOHAMAD SAQAR	United Arab Emirates	51.000	PARTNER
ABDULLAHI AHMED MOHAMED	Djibouti	25.000	Partner
ABDULLA ABDUL RAHMAN MOHAMED	Somalia	24.000	Partner

DUBAI CHAMBER 11 EST. 1965 Dubai Chamber of Commerce & Industry

More Business Information on the mentioned company available on Credit Rating Unit .Call 800-CHAMBER (2426237)

غرفة تجارة وصناعة دبي
Dubai Chamber of Commerce & Industry
P.O. Box 1457 - Dubai, U.A.E.
Tel. (+971) 4 2280000 هاتف
Fax (+971) 4 2211646 فاكس
www.dubaichamber.ae

Annex 3.1.f: Identity snapshot of Gol Mohammad Nosratzehi

PASSANGER INFO

Nosratzehi

Gol Mohammad

10/04/1954

Male

Iran (Islamic Republic of)

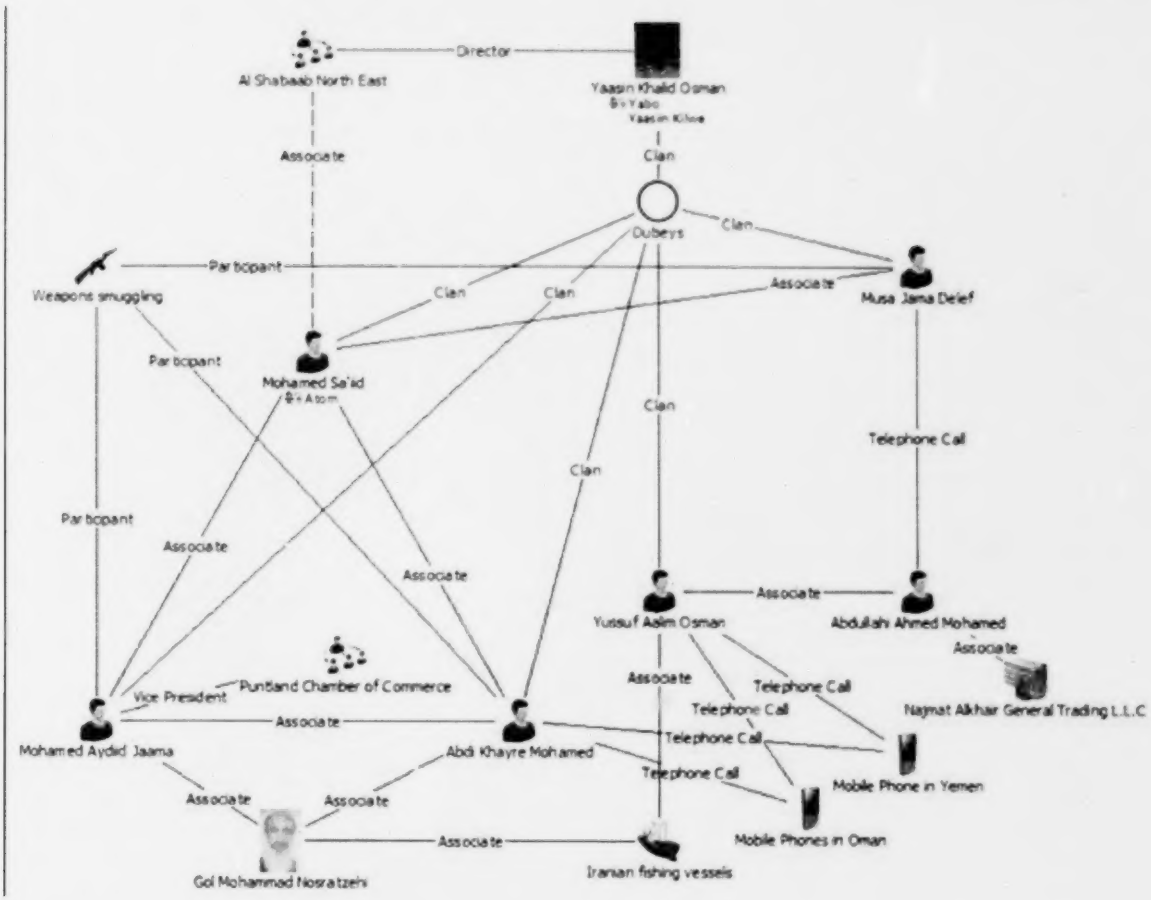
Common Passport

X10093530

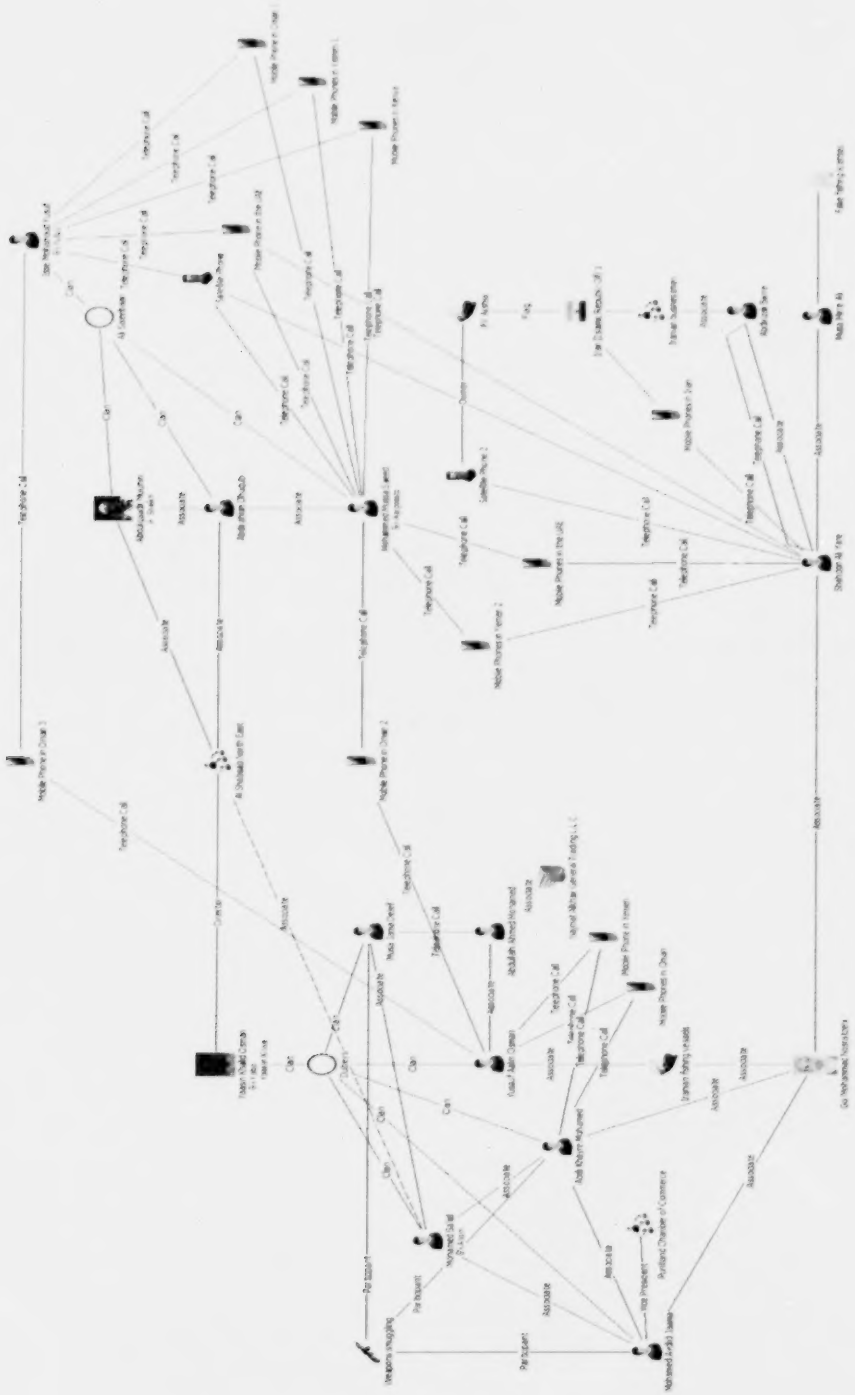
IRAN, ISLAMIC REPUBLIC

08/11/2017

Annex 3.1.g: The Las Qoray network



Annex 3.1.h: Connections between Qandala — Hafun and Las Qoray networks



Annex 3.2: Spoiler networks in central Somalia

1. The east-central region of Somalia is fraught with attempts to subvert the fragile leadership of the Federal Government of Somalia (FGS) in a manner consistent with a broader trend across the 'liberated' parts of the country. Key to this subversive tendency is the entity of Galmudug and its warlord-turned-president Colonel Abdi Hassan Awale 'Qeybdiid'. As Galmudug is becoming increasingly unstable, conditions of insecurity now seem to extend into the regional state of Puntland. Qeybdiid appropriated political power through alleged intimidation, clan manipulation and force, presided over a yearlong political crisis, and is attempting to consolidate his power base through allies in the new government in Mogadishu.

'Qeybdiid'

2. Abdi Hassan Awale 'Qeybdiid' (Hawiye / Habar Gedir / Sa'ad) is often described as a "former" warlord who fought against the United Nations peacekeeping operation and U.S. forces in Somalia during the early 1990s.[1] In October 2005, the Swedish newspaper *Svenska Dagbladet* linked Qeybdiid to an incriminating video showing executions of young boys in the Lower Juba town of Kismayo while he was the chief of police.[2] Qeybdiid as a "former" warlord still retains close ties to other "former" warlords and current spoilers, including the Eritrean agent of influence Abdi Nur Siad 'Abdi Wal', a fellow Hawiye / Habar Gedir / Ayr clansman who is reported to have a close relationship with a senior Al-Shabaab commander (see annex 3.3 for more on Abdi Wal).[3]

3. Qeybdiid, while politically and militarily more active in the east-central region, continues to have an exploitive relationship with the government in Mogadishu and is therefore viewed by the Monitoring Group as a potential threat to peace and security. Recently in May 2013, uncorroborated reports from African Union Mission in Somalia (AMISOM) security officials indicated Qeybdiid had threatened to redeploy his 300 militiamen from Mogadishu if the FGS failed to meet his political demands.[4] However, due to Qeybdiid's new power base and the pressure of competing militias in the east-central region, the Monitoring Group assesses that Qeybdiid's militiamen in Mogadishu are likely to be no more than 100 in number but still able to undermine the FGS in the capital city.

Political instability

4. Qeybdiid has begun focusing more on Galmudug from 2011 to 2012 on the pretext of resolving the political and security crisis that was plaguing the administration of the former

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[1] www.trial-ch.org/en/resources/trial-watch/trial-watch/profiles/profile/783/action/show/controller/Profile/tab/fact.html.

[2] http://www.aftonbladet.se/nyheter/article10683570.ab.

[3] Interview with a former ASWJ intelligence officer, Nairobi, 20 November 2013. Information provided by a senior NISA officer on 2 February 2013 suggests Eritrea may have been cultivating new agents of influence in the central regions.

[4] Email correspondence with senior military intelligence official dated 3 May 2013. It is suggested that 'Qeybdiid' has been using his allies inside the FGS, including the foreign and national security ministers, to demand full recognition of his leadership and Galmudug as a "state" that meets the requirement for a regional state within the context of the Federal Constitution.

President, Mohamed Ahmed Alin. More likely, the shift in his attention was a reaction to his waning influence in Mogadishu.[5]

5. In spite of the Mogadishu Government's effective recognition of Galmudug as a political entity,[6] the 'single clan project' fails to meet the constitutional requirement for two or more states to form a regional authority and it continues to face calls for disbandment.[7] Galmudug was formed in August 2006 as a pragmatic solution to the Mogadishu-centric era of warlords. Paradoxically, however, Galmudug is based on a fundamentally Habar Gedir / Sa'ad clan settlement, and in August 2012, experienced the return to prominence of a Sa'ad / Hilowe warlord, Qeybdiid, who, at the time, was unable to exert full and effective control over Galgadud and Mudug.

6. In July 2012, a political crisis engulfed Galmudug following a disagreement over the Presidential term of then President Mohamed Ahmed Alin, also a member of the Habar Gedir / Sa'ad clan. Ahmed Alin and his supporters claimed his term was due to end in February 2013. In opposition, a faction led by then Vice-President Abdisamad Nur Guled (Habar Gedir / Sa'ad), backed by Qeybdiid, maintained that Ahmed Alin's term should expire on 31 July 2012, necessitating new presidential elections in August 2012. In essence, the dispute was over the interpretation of the constitution and legal authority of the nine-member electoral commission to call new elections.[8] However, the crisis appears to have been influenced by Qeybdiid in his bid to offset his loss of influence in Mogadishu, where he still retained an armed presence.[9]

7. On 1 August 2012, under unclear circumstances, and while the incumbent president Ahmed Alin was out of the country, Qeybdiid was elected president of Galmudug.[10] Almost immediately, a former Ahlu Sunna wal Jama'a (ASWJ) official, Mohamud Abdi Elmi, was declared president by a "new" electoral commission apparently endorsed by Ahmed Alin as the outgoing president.[11] Elmi was also from the Habar Gedir / Sa'ad / Sinole clan and his power base drawn from the clan militias that formed ASWJ in the Galgadud and Gedo regions.

8. Since the 'election' of Galmudug's two contending presidents, the sub-clans of Qeybdiid and Mohamud Elmi, the Sa'ad / Hilowe and Sa'ad / Sinole respectively, as well as other clans supporting one or the other group, have been embroiled in periodic clashes. In most cases these

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[5] In December 2009, 'Qeybdiid' lost his lucrative position as the TFG Police Commissioner and became the Minister for Mines and Natural Resources.
[6] http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_The_S_F_G_s_Strategy_of_Political_Conflict.shtml.
[7] Email correspondence with senior AMISOM official dated 3 May 2013.
[8] The Monitoring Group has learnt that former Vice-President Abdisamad Nur Guled had established the nine-member election commission. See http://www.somaliareport.com/index.php/topic/9.
[9] Interview with Sa'ad Hilowe clan member, Nairobi, 3 November 2013.
[10] http://somaliareport.com/index.php/post/3556/Galmudug_President_Opposes_New_Parliament.
[11] http://www.allgedo.com/2012/08/04/press-release-resignation-of-the-minister-of-fisheries-marine-resources-and-ports-of-galmudug-state-hassan-m-said-samantar-gacaliye/.

outbreaks were instigated by the larger militias affiliated with Qeybdiid.[12] According to testimony from a member of the Sa'ad / Sinole sub-clan, clashes have erupted over issues such as competing claims to the right of 'taxation' at illegal checkpoints effectively manned by militias under the control of Qeybdiid.[13] Such illegal checkpoints can levy up to 500 USD under the guise of 'taxation'.[14]

9. More troubling still are reports that members of Al-Shabaab may have exploited at various times checkpoints manned by Qeybdiid's and other militias. In 2012, as Al-Shabaab began to suffer military reverses throughout southern Somalia, it pushed northwards, including passing through Galmudug.[15] On 20 November 2012, the Dagaari checkpoint in Galmudug, manned by militia loyal to Qeybdiid, had routinely provided individuals believed to be members of Al-Shabaab with safe passage.[16]

Extending instability into Puntland

10. Despite the ongoing dispute between Qeybdiid and Mohamud Elmi over control of Galmudug, the FGS ostensibly recognizes Qeybdiid, as do the regional authorities of Puntland.[17] However, the Monitoring Group continues to receive numerous reports of criminality and a destabilizing influence that Qeybdiid's 'leadership' in Galmudug is having on Puntland to the north. In the last eleven months, the lack of formal structures, public accountability and effective governance has enabled Qeybdiid's Galmudug to pose a potentially increasing security threat to its neighbour. Examples corroborated by independent sources have included the following:

- December 2012: On 7 December 2012, unknown elements from Galmudug carried out a 3-mortar attack against the Garsoor and Israa neighbourhoods in Puntland. According to the Puntland Deputy Police Commissioner, General Muhiyadin Ahmed Mussa, the attacks were: "on homes, on travellers and civilians."[18]

- April 2013: On 21 April 2013, during a serious security breach, armed residents of Galmudug were stopped and one was shot and killed after attempting to enter Galkayo airport by force. The following day, unknown elements from Galmudug fired with anti-aircraft weapons targeting a descending plane at Galkayo airport. Following the

[12] http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_The_S_F_G_s_Strategy_of_Political_Conflict.shtml.
[13] Interview with Galmudug community leader, Eastleigh, Nairobi, November 2012.
[14] Interview with Sa'ad Hilowe clan member, Nairobi, 3 November 2012.
[15] http://sabahionline.com/en_GB/articles/hoa/articles/newsbriefs/2012/10/30/newsbrief-03.
[16] Interview with Galmudug official in Nairobi, 20 November 2012. The Monitoring Group has found no direct connection between 'Qeybdiid' and Al-Shabaab but continues to receive uncorroborated reports that militiamen linked to him have facilitated safe passage for Al-Shabaab through Galmudug.
[17] http://garsoornews.com/news/somali-pm-meets-authorities-in-mudug-state/.
[18] "Somalia: Mortars fired from Galmudug area hit civilian homes in Galkayo", Garowe Online, 7 December 2012; and NGO confidential security report.

incident, 3 mortars were again launched from Galmudug towards north Galkayo hitting, according to sources, residential homes.[19]

Relations with Mogadishu

11. At the time of writing, Qeybdiid's relations with Mogadishu are further deteriorating in spite of the support from his FGS allies, including Foreign Affairs Minister Fawzia Yusuf Haji Adan and Interior and National Security Minister Abdikarim Hussien Guled.[20] Qeybdiid's estranged relations with Mogadishu were also apparent following an official visit of Somali Prime Minister Abdi Farah Shirdon Saaid to Puntland and Galmudug on 14 March 2013. The next day, Qeybdiid's administration issued a statement accusing the FGS of undermining Galmudug's right to development.[21] Qeybdiid's actions as a warlord-spoiler if not addressed politically will continue to undermine the ability of the FGS to extend its control across liberated areas in south central Somalia.

[19] Confidential NGO security report, 22 April 2013.
[20] Interview with Galmudug security official, Mogadishu, 25 October 2012
[21] Statement issued by the Office of the Galmudug Minister of Planning and International cooperation, 15 March 2013.

Annex 3.3: Spoiler networks in southern Somalia

Co-option efforts by the Federal Government of Somalia

1. In order to extend its limited authority the FGS has engaged in co-opting a number of Al-Shabaab leaders, clan warlords and political agents once allied with Hassan Dahir Aweys (Hawiye / Habar Gedir / Ayr), the former leader of the now defunct Alliance for the Re-Liberation of Somalia-Eritrea (ARS-Asmara). Aweys became chairman of Hizbul Islam, of which ARS-Asmara was a constituent part, and which was eventually absorbed by Al-Shabaab in December 2010. At present, he is still part of Al-Shabaab's military infrastructure and has already been sanctioned by the UN Security Council.[1]

2. The Government of Qatar has facilitated FGS co-option efforts. Qatar played an important role in funding the election campaign of President Hassan Sheikh Mohamud (see annex 5.1) and continues to be a key financial and political partner of the FGS. In particular, Qatar has facilitated negotiations between the FGS and Aweys. Doha also hosted President Hassan Sheikh on 3 and 5 March 2013, when FGS representatives met Al-Shabaab delegates for talks brokered by Sheikh Omar Iman Abubakar, the first chairman of Hizbul Islam. The attendees included representatives of Al-Shabaab commander Mukhtar Robow.[2]

3. These negotiations have broadly coincided with the return to Mogadishu of a number of high profile former ARS-Asmara officials, including Zakaria Mohamed Haji Abdi (former deputy chairman of ARS-Asmara) and General Jama Mohamed Ghalib (formerly Hizbul Islam liaison officer in Eritrea and from the Isaaq clan). The Monitoring Group has also observed a strengthening of links between the FGS and a number of disaffected Hawiye / Habar Gedir / Ayr warlords and political figures involved in acts that constitute a threat to peace and security. The Ayr sub-clan was at one point the backbone of the Islamic Courts Union that governed much of southern Somalia until it was routed by Ethiopian forces in December 2006.

4. In addition, the FGS has begun a process of co-opting former clan warlords who have demonstrated growing hostility to the formation of a regional government in Jubaland and who were part of the former Juba Valley Alliance (JVA) that controlled Kismayo between 1999 and 2006. The core leadership of the JVA had been drawn from the Darod / Marehan and Hawiye / Habar Gedir / Ayr clans.

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[1] Several sources close to Hassan Dahir Aweys confirm his willingness to negotiate with the Government, that he is a spent force as a political and military leader, but that he continues to be integrated into Al-Shabaab's military infrastructure. However the same sources also describe Aweys as a de-facto "hostage" of Al-Shabaab. See http://www.un.org/sc/committees/751/index.shtml for details on UN sanctions measures against Aweys.

[2] Information on negotiations with Hassan Dahir Aweys provided by Somali Foreign Ministry source, 27 February 2013. Information on negotiations with Al-Shabaab provided by former member of Hizbul Islam, 1 April 2013, Somali intelligence source, 26 March 2013, and former Somali warlord, 4 April 2013. Diplomatic sources have also corroborated these meetings took place.

Political and clan tensions

5. Since late September 2012, the FGS has encountered considerable resistance from the Ras Kamboni forces of Sheikh Ahmed Mohamed Islam 'Madobe' (Darod / Ogaden clan), who helped oust Al-Shabaab from Kismayo and then, with Kenyan military support, established his own political and armed presence in the area. In particular, since October 2012, the explicit instructions of President Hassan Sheikh to AMISOM to keep the port of Kismayo closed and prevent the export of charcoal have been consistently flouted and FGS officials have not been granted full access to the port or the city generally (see annex 9 on violations of the UN Security Council charcoal ban).[3] Indeed, successive FGS delegations to Kismayo have been prevented from leaving the airport by the Kenya Defence Forces (KDF) contingent of AMISOM and Madobe's Ras Kamboni. The refusal of Ras Kamboni to integrate into official Somali security institutions has led the FGS to view Ras Kamboni as a spoiler clan militia operating outside the purview of the national constitution and constituting, therefore, a threat to peace and security.[4]

6. Clan tensions in Kismayo have been particularly acute between Darod / Ogaden fighters of Ras Kamboni and Darod / Marehan soldiers within the official ranks of the Somali National Army (SNA). On 20 December 2012, growing animosity culminated in a fire fight between both sides over the control of a checkpoint, which killed eight people.[5] On 23 February 2013, clan motivated fighting broke out again in Kismayo when Darod / Marehan forces attempted to break free an inmate at Kismayo's central police station who had been arrested by Darod / Ogaden Ras Kamboni forces and AMISOM for allegedly harbouring an illegal arms cache and for having ties to Al-Shabaab. At least 11 individuals were reported killed.[6]

7. In the first week of March 2013, approximately 200 Darod / Marehan fighters under the command of the SNA attempted to enter Kismayo as a show of force, but eventually deployed 40 kilometres from the outskirts of the city[7] (see below for more on this operation). While this deployment was part of an official military operation sanctioned by the FGS, it also provided cover to Darod / Marehan clan militia attempting to reinforce their military presence around Kismayo. The deployment occurred as the Monitoring Group confirmed connections between individual Hawiye / Habar Gedir / Ayr spoilers, who are complicit in acts that constitute a threat to peace and security, and Darod / Marehan networks involved in resisting the formation of a regional government of Jubaland.

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[3] Telephone conversation with President Hassan Sheikh Mohamud, 26 October 2012.

[4] Meeting with President Hassan Sheikh Mohamud, Mogadishu, 3 March 2013. President Hassan Sheikh Mohamud and FGS officials have also openly criticised Kenyan troops for not providing FGS officials adequate security in Kismayo. See http://allafrica.com/stories/201305250249.html.

[5] Interview with President Hassan Sheikh Mohamud, Nairobi, 22 December 2012. During this meeting, the President expressed his increasing concern about the arming of Ras Kamboni. Also see http://shabelle.net/eight-killed-in-a-fight-in-kismayo/.

[6] Information obtained by *Darod* clan politicians with connections to Kismayo, 28 February 2013. Also reported in the press, see AFP story "Clan feud kills 11 in Somali port city of Kismayo" available at http://www.hiiraan.com/news4/2013/Feb/28231/clan_feud_kills_11_in_somali_port_city_of_kismayo.aspx.

[7] Interview with Darod politician with knowledge of the events, 10 March 2013. Interview with FGS official with knowledge of the events, 15 March 2013.

8. The FGS and local clan leaders have also been unable to agree on a constitutional process that would satisfy all political factions in Jubaland and which could lead to the establishment of a functional regional government with political agreements in place for revenue and power sharing between the FGS and local authorities.[8] Amid a breakdown in political talks, and in the context of escalating clan tensions, Madobe proclaimed himself president of Jubaland on 15 May 2013. The same day Barre Adan Shire 'Hiiraale', a Darod / Marehan warlord and former leader of the JVA, also proclaimed himself president of Jubaland, setting the stage for a potential conflict.[9] Since then, at least three other politicians have since declared themselves rightful president of Jubaland. Hiiraale has stationed himself in Kismayo since late April 2013, having arrived from Mogadishu with a detachment of his personal militia.

Individual spoilers and threats to peace and security

9. The Monitoring Group is concerned that narrow clan and individual interests may override FGS attempts to reconcile warring factions, break up Al-Shabaab and extend a balanced authority over regional administrations. In particular, there are two core groups of spoilers, one aligned against the FGS and one largely aligned in favour of the FGS. The key spoiler in opposition to the FGS is Sheikh Ahmed Mohamed Islam 'Madobe' (Darod / Ogaden). Spoilers broadly aligned with the FGS include Hawiye / Habar Gedir / Ayr warlords and their allies in the Darod / Marehan network of Barre Hiiraale. Each of these spoiler groups has interests that intersect with Al-Shabaab. Individual spoilers and actions constituting threats to peace and security are identified below and in a link analysis chart that appears at Annex 3.3.a.

Sheikh Ahmed Mohamed Islam 'Madobe'

10. Sheikh Ahmed Madobe has been a pivotal figure amid several years of inter-clan fighting for control of Kismayo. As a member of the now defunct Islamic Courts Union, he ousted Hiiraale's JVA from Kismayo in 2006 and established military control of the city until the Islamic Courts Union were routed by the Ethiopian National Defence Forces (ENDF) and he fled Kismayo in January 2007.

11. Madobe's forces returned to Kismayo in August 2008, when Al-Shabaab and Hizbul Islam recaptured the city following the withdrawal of Ethiopian troops from Somalia. In 2009, Madobe's Ras Kamboni brigade split in two. Fighters loyal to Hassan Abdullah Hersi 'Al-Turki' joined Al-Shabaab to defeat Madobe's residual force and expel him from Kismayo.

12. While Sheikh Ahmed Madobe has been a key ally in AMISOM's military campaign to expel Al-Shabaab from Kismayo in 2012, his refusal to integrate his troops into the SNA, and his explicit policy of exporting charcoal sourced from Al-Shabaab-controlled territory through Kismayo, has undermined his claim of being a stabilizing force in southern Somalia. FGS officials assert that revenues generated from the charcoal trade have enabled Madobe to expand his private arsenal allowing him to effectively exert, with KDF support, military control over Kismayo and embezzle public sector revenues, notably from the port.[10]

[8] See http://allafrica.com/stories/201304010276.html.

[9] See Voice of America news article: http://www.voanews.com/content/leadership-dispute-threatens-stability-and-peace-in-jubaland/1662269.html.

[10] Interview with President Hassan Sheikh Mohamud, 21 December 2012.

Yusuf Mohamed Siyaad 'Indha'adde'

13. A key spoiler amongst disaffected Hawiye / Habar Gedir / Ayr warlords is Yusuf Mohamed Siyaad 'Indha'adde', formerly the Eritrean-backed chief of defence for ARS-Asmara before joining the armed forces of the Transitional Federal Government (TFG).[11] Indha'adde is no longer part of the official military structure of the SNA but controls at least 300 militiamen, many of whom are integrated within the SNA 3rd Brigade that occupies territory outside Mogadishu and Merka and along the Afgoye corridor.[12]

14. The 3rd Brigade is principally drawn from the Hawiye / Habar Gedir / Ayr clan. It consists of approximately 840 men and is between 30 and 50 per cent smaller than the other five brigades that secure the Banadir region. General Mohamed Roble Jimale 'Gobale' (Hawiye / Habar Gedir / Ayr), a close associate of Indha'adde, officially controls the 3rd Brigade.[13]

15. According to military intelligence reports, and sources with access to its chain of command, territory under the control of the 3rd Brigade, particularly in the Afgoye corridor, has been heavily infiltrated by Al-Shabaab. Also, 3rd Brigade elements have repeatedly been involved in setting up illegal checkpoints and harassing civilians, including raping women. During the course of 2012, the 3rd Brigade has engaged in skirmishes with at least one other SNA brigade (6th Brigade).

16. Furthermore, the Monitoring Group has obtained information detailing the complicity of 3rd Brigade elements in the assassination of SNA commander General Mohamed Ibrahim Farah 'Gordon', who was shot in the head during an ambush of his convoy that was heading from Merka towards Afgoye on 28 October 2012.[14] Two eyewitness sources testified to the Monitoring Group that Gordon was assassinated by 3rd Brigade elements and not Al-Shabaab.[15] In addition, two sources told the Monitoring Group that Gobale had disagreements with Gordon three days before his death when Gordon proposed an operation to attack the position of Hassan Dahir Aweys.[16]

17. While the Monitoring Group has been unable to obtain corroborating evidence of these allegations, it has obtained an official account of a raid by AMISOM on a farm on the road between Merka and Afgoye on 29 October 2012. During the raid, AMISOM troops recovered an illegal arms cache, including a rocket launcher and a sniper telescope. The farm manager was interrogated by

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[11] See S/2010/91, paragraph 60.

[12] Based on AMISOM and TFG estimates dated 21 July 2011, and interviews with confidential sources with access to the 3rd Brigade high command.

[13] Figures and chain of command provided by confidential source with records of 3rd Brigade registrations. The other five brigades are composed of a mixture of other Hawiye clans, notably the Abgaal, Hawadle, and Murosade. Some Darod / Marehan elements and other minority clans also make up some of the brigades.

[14] According to confidential military intelligence reporting on 29 October 2012.

[15] Information provided by Ayr element of 3rd Brigade, Mogadishu, 16 October 2012, and by Somali military source, 1 March 2013.

[16] Information provided by Somali military source, 1 March 2013, and corroborated by an associate of Gordon.

AMISOM troops and admitted that the cache belonged to Indha'adde. On 3 November 2012, Indha'adde arrived at the farm with 30 troops and demanded the return of the arms cache.[17]

18. The Monitoring Group has obtained direct eyewitness testimony documenting a meeting between Indha'adde and Kamal Hassan Gutale (Hawiye/Habar Gedir/Suleiman), the Chief of Staff of President Hassan Sheikh, in the Presidency in January 2013.[18] The meeting was brokered by Sheikh Abdulkadir Ali Omar (Hawiye/Habar Gedir/Suleiman), the former TFG interior minister cited by numerous diplomats and associates as having a role in the kidnapping of two French security officials in 2009.[19] During the course of the meeting, Gutale and Indha'adde discussed options for FGS support to clan fighters loyal to Indha'adde,[20] indicative of close relations between certain officials in the FGS and the 3rd Brigade, notwithstanding the reported security incidents above.

Abdi Nur Siad 'Abdi Wal'

19. Abdi Nur Siad 'Abdi Wal' is a Hawiye / Habar Gedir / Ayr warlord who co-founded the Alliance for the Restoration of Peace and Counter-Terrorism, a group of warlords that fought and was defeated by the Islamic Courts Union in 2006. However, Abdi Wal is now a close ally of former ARS-Asmara leader Zakaria Mohamed Haji Abdi, for whom he provides security in Mogadishu.[21] He is known to command the allegiance of about 100 fighters in Mogadishu, and is involved in contract killings.[22] In addition, he commands the allegiance of an unknown number of Ayr fighters amongst the ranks of ASWJ.[23]

20. The Monitoring Group has received credible testimony that Abdi Wal is connected to piracy and Al-Shabaab networks and has corroborated this through analysis of his telephone records.[24] The Monitoring Group has also received credible reports of Abdi Wal's involvement in an attack on

[17] The cache included two shotguns, a rocket launcher, 4 assault rifles, three clip fed rifles, 17 magazines, one sniper telescope and 828 assorted cartridges. The name of the farm was reported as the Jimal-Mog farm on the Merka-Afgoye road. AMISOM declined to return the cache to Indha'adde.

[18] Interview with eyewitness, Mogadishu, 15 January 2013.

[19] Information provided by Somali Government official with access to the Presidency, 15 January 2013.

[20] Information provided by FGS official, 18 May 2013.

[21] Three separate sources of the Monitoring Group have witnessed meetings between Haji Abdi and Abdi Wal.

[22] Information obtained from confidential military intelligence report, and from two Somali Government officials who are both first hand acquaintances of Abdi Wal, November 2012, as well as a source within ASWJ, 26 October 2012.

[23] Information provided by Somali Government official in direct communication with Abdi Wal, 24 November 2012, and corroborated through a source within ASWJ, 26 October 2012.

[24] Information received by Somali Government official in direct communication with Abdi Wal, 23 October 2012. His telephone records show connections to Abdirahman Abdulahi Haji, a.k.a. Suhufi, a well-known Hobyo-Harardhere pirate leader and financier involved in many hijacking and abduction cases, such as the FV 'Jahan', MV 'Asphalt Venture', and MV 'Samho Jewelry', and the kidnappings of Michael Scott Moore, Médecins san Frontières aid workers, and Danish Demining Group employees. Suhufi has reportedly been in contact with individuals connected to Al Shabaab, according to international naval sources.

Mogadishu International Airport on 1 November 2012, in which an RPG was fired on AMISOM containers.[25]

21. Abdi Wal claims in closed-door meetings that he is a close ally of Mahad Mohamed Ali "Karate", a senior Al-Shabaab intelligence officer from the Hawiye / Habar Gedir / Ayr clan.[26] In two separate closed-door meetings, Abdi Wal stated that he was part of a plan to win back political power for former members of the Islamic Courts Union and to create instability in Mogadishu until more Ayr are appointed to positions in the FGS.[27]

22. Both Abdi Wal and his political godfather, another former warlord, Mohamud Afrah Qanyare[28] (Hawiye / Habar Gedir / Murosade), have regular contacts with officials in the Somali Presidency and have demanded a greater share of weapons for Hawiye / Habar Gedir clan fighters, warning the Government not to give favourable treatment to Hawiye / Abgaal armed units.[29]

23. This account coincides with separate reports that Abdi Wal and other Ayr figures may be important allies of FGS-aligned Darod / Marehan leaders who have been involved in building up the Darod / Marehan armed presence around Kismayo.

[25] Abdi Wal is known to be located in the airport area of Mogadishu. A military intelligence source stated he had received reports of Abdi Wal's involvement following the interrogation of some of the perpetrators of the attack. The Monitoring Group corroborated this on 16 january 2013 with an Ayr source in Mogadishu who has access to Abdi Wal's security team. Reports indicated that the incident was triggered by a financial dispute between Abdi Wal and General Abdullahi Gaafow Mohamud, the Director at Immigration and Naturalization at Mogadishu International Airport, who receives personal security protection from Abdi Wal and his close ally Mohamud Afrah Qanyare.

[26] Interview with personal contact of Abdi Wal, 23 October 2012. The Monitoring Group has verified that the source has been in direct contact with Abdi Wal from their respective telephone records.

[27] Interview with separate personal contacts of Abdi Wal, 29 November 2012 and 15 January 2013.

[28] Qanyare is well known as a former warlord from the Alliance for the Restoration of Peace and Counter-Terrorism. During the summer 2012 end of transition process, he was re-instated by the Somali chief justice as a member of parliament after initially being disqualified by the Technical Selection Committee mandated to vet candidates.

[29] Interview with Somali Government official with direct knowledge of the conversation, 15 January 2013.

Barre Adan Shire 'Hiiraale' and Hassan Galad

24. Former leaders of the now defunct JVA, notably Barre Adan Shire 'Hiiraale' (Darod / Marehan) and Hassan Galad (Hawiye / Habar Gedir / Ayr), have been instrumental in the Government's planning of the March 2013 deployment of Darod / Marehan forces to a position 40 kilometers from Kismayo.[30] Approximately 200 forces were dispatched from the town of El Waak and were funded by officials in the office of Prime Minister Abdi Farah Shirdon (Darod / Marehan).[31]

25. From El Waak the force passed through roughly a dozen Al-Shabaab checkpoints on its way towards Kismayo without any resistance.[32] A key broker between these forces and Al-Shabaab was Abdurahman Filow[33] (Darod / Marehan), a former commander under Hiiraale's JVA and who was a senior Al-Shabaab commander in Kismayo before being expelled by KDF and Ras Kamboni forces in September 2012. Moreover, the Al-Shabaab ally, Mohamed Wali Sheikh Ahmed Nuur (Darod / Marehan) (profiled in S/2011/433, paragraphs 320 and 321), guaranteed unopposed passage for the El Waak force through Al-Shabaab-controlled territory.[34]

26. While Filow has recently allied with officials in the FGS, he has continued to operate as an Al-Shabaab commander, leading recruitment drives in Jamaame in March 2013, and organising an Al-Shabaab attack on Kismayo on 4 April 2013, in which militants fired four explosive projectiles between the old airport and the city university.[35] Hiiraale, meanwhile, relocated in late April 2013 from Mogadishu to Kismayo with a detachment of personal militia and has proclaimed himself as the president of a new regional government of Jubaland.

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[30] A Somali Government official told the Monitoring Group on 1 March 2013 that Hiiraale and Galad had arrived in Mogadishu to 'seek the reactivation' of the JVA through FGS support. A separate Somali government official told the Monitoring Group on 15 March 2013 that the march on Kismayo was coordinated through the Office of the Prime Minister, and involved Hiiraale and Galad.

[31] Interview with Somali Government official with access to the planning discussions, 15 March 2013.

[32] Ibid., and corroborated by two diplomatic security sources and a Marehan source with access to Hiiraale's entourage, 11 April 2013.

[33] Ibid. According to confidential military intelligence reports, during the course of late 2012 and 2013, Filow has negotiated with the FGS to convert Darod – Marehan Al-Shabaab fighters into government-aligned forces within the ranks of ASWJ. Military intelligence reports state that Filow was once a commander of Hiiraale's and was involved in plans to stage hit-and-run attacks against Kismayo following Al-Shabaab's retreat from the city in September 2012. Military intelligence reports him as having attempted to integrate Marehan forces into ASWJ.

[34] Information provided by Somali Government official with access to planning discussions, 15 March 2013, and by Marehan sources with access to government circles. A separate Somali government official informed the Monitoring Group that Ahmed Nuur had been in discussions with Hiiraale prior to the 6 March 2013 attack to commit political support from his Marehan allies in Gedo region.

[35] Information of Filow's continuing involvement documented in several confidential military intelligence reports during early 2013. Details of 4 April 2013 attack on Kismayo provided by military intelligence officer, 2 May 2013.

27. According to a source in direct contact with Ahmed Nuur and Abdi Wal, both men consider themselves to be part of the same alliance, and have worked with Hiiraale to pressure FGS officials to integrate more Marehan and Ayr elements into Somali security forces.[36] In addition, Hassan Galad appears to be merging his forces with militias loyal to Gobale and Indha'adde in the Merka-Afgoye axis.[37] These are clear indications that Hiiraale and Galad, who once spearheaded the JVA, are connecting with spoiler networks from the Ayr clan, as described above.

Support from Eritrea

28. The Monitoring Group has received numerous reports about the warming of relations between Asmara and Mogadishu, and has obtained evidence of Asmara's control of political agents close to the Somali Presidency and some of the individual spoilers referred to above.

29. A key foreign policy advisor to President Hassan Sheikh is Ahmed Abdi Hashi 'Hashara', a former leader within ARS-Asmara who is known to have received financial support from Asmara at least as late as 2012.[38] In 2012, Hashara described General Jama Mohamed Ghalib, referred to above, as his political ally and announced his intent to create a new accord between the FGS and former members of ARS-Asmara.[39]

30. The Monitoring Group has obtained direct testimonies and concrete evidence of Eritrean support to Abdi Wal and Mohamed Wali Sheikh Ahmed Nuur. A source on the Eritrean payroll in direct contact with Abdi Wal has confirmed that Abdi Wal has admitted in closed-door meetings and that he is acting as an agent for the Eritrean government.[40] General Ghalib has referred to Ahmed Nuur as a key ally of his.[41]

31. In addition to these testimonies, the Monitoring Group has confirmed meetings in Khartoum in late December 2012 between Ahmed Nuur and Mohamed Mantai, the Eritrean Ambassador to Sudan. During these meetings, options for Eritrean financial support to Ahmed Nuur were

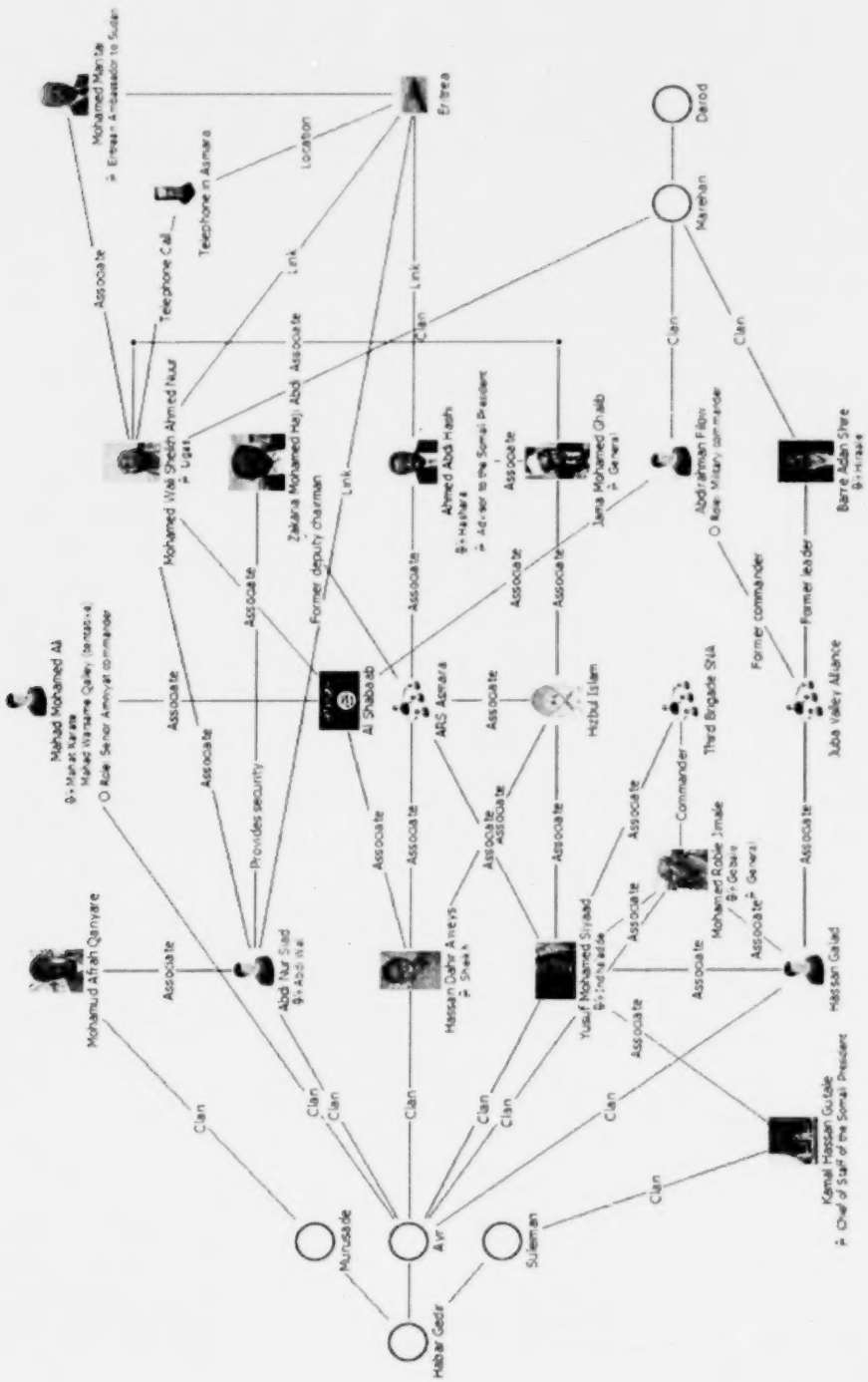
[36] Information provided by Somali government official, 16 March 2013.
[37] Information provided by Somali government official, 1 March 2013, and by former ARS-Asmara source close to Indha'adde, in Mogadishu, 16 October 2012.
[38] A source on the payroll of the Eritrean Government informed the Monitoring Group on 11 September 2012 that Hashara had travelled to Asmara before deploying to Mogadishu in August 2012, and received financial support from the Government of Eritrea in 2012. A former Somali Minister with access to the Somali Presidency informed the Monitoring Group on 4 April 2013 that Hashara also acts as an advisor to President Issayas Afwerki of Eritrea.
[39] Interview with diplomatic source, 17 September 2012.
[40] The Monitoring Group has obtained separate evidence of payments made by Eritrea to the source, and therefore is able to corroborate his credibility as an agent of Eritrea. The source's phone records show direct communications between himself and Abdi Wal.
[41] The Monitoring Group has obtained separate corroborating evidence that the source in question has met Ghalib in Mogadishu during the course of 2013.

discussed.[42] Telephone records of Ahmed Nuur's Somali telephone number also show direct contact with a landline in Eritrea.

32. Mantai, a former military intelligence officer, has a history of operating in Somalia and was expelled from Kenya in 2009 after he returned from Somalia following meetings with Al-Shabaab agents (see S/2011/433, annex 8.5). Additional information about Mantai, and Eritrean support to Somali spoiler networks appears in the separate Eritrea report of the Monitoring Group report on Somalia and Eritrea.

[42] The Monitoring Group was invited to witness a telephone call between a confidential source and Ahmed Nuur in late December 2013, when Ahmed Nuur explained he had met Mantai and had requested financial support from him.

Annex 3.3.a: Spoiler network in southern Somalia



Annex 3.4: Spoiler networks and the Somali security services

1. A key asset for both Al-Shabaab and former officials within the TFG is Artan Abdi Ibrahim 'Bidar' (Hawiye / Murosade / Sebdi / Abubakar), a known security consultant in Mogadishu who has provided private security protection for Government officials but who has been also identified by senior security officials as an agent for Al-Shabaab.

2. A senior ranking security official, TFG Minister and FGS official have all identified the role of Artan Bidar, a cousin and close confidant of Sheikh 'Ali Dheere', the spokesman of Al-Shabaab with whom he works closely.[1] These and other sources have also identified Artan Bidar as a private security contractor who has worked for TFG former President Sheikh Sharif Sheikh Ahmed, TFG former Speaker of Parliament Sheikh Sharif Hassan Aden, former TFG Prime Minister Mohamed Abdullahi Mohamed 'Farmajo'[2], and General Abdullahi Gaafow Mohamud, the Director of Immigration and Naturalization at Mogadishu International Airport. Artan Bidar is also the cousin and intimate associate of Mohamed Moalim Hassan, the former Director of the TFG Presidency (Chief of Cabinet), who helped facilitate his activities.

3. Since mid-2012, Artan Bidar has been under investigation by a number of security officials in Somalia for the alleged assassination of at least several individuals in Mogadishu. In addition to a journalist writing about corruption in the TFG and a comedian who talked about wealthy politicians giving their money to the poor, these include the following two cases, amongst others.[3]

4. First, on 19 July 2012, unknown assailants gunned down Mohamed Ali Hussein, the Deputy Director-General of the Ministry of Finance. While Al-Shabaab was blamed for the attack, press reports suggested that the motive for the killing was the victim's cooperation with the Monitoring Group in providing sensitive information about TFG corruption.[4] Investigators subsequently confirmed to the Monitoring Group that the motive was related to the perception that the victim, previously an official at the Central Bank, had denied to the Monitoring Group Sharif Hassan's claim that he had deposited a 10 million USD payment into the Central Bank.

5. Second, in the evening of 4 August 2012, with a similar modus operandi, unknown assailants armed with pistols gunned down Ibrahim Iman Halane, the general manager of Mogadishu airport. While Al-Shabaab again was blamed for the attack, investigators subsequently confirmed to the Monitoring Group that the motive for the killing was the allegation that Halane had provided information to the Monitoring Group about Sharif Hassan diverting taxation revenue from the airport.

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[1] Information provided by FGS official on 24 November 2012, ex-TFG minister on 3 October 2012, and senior Somali security official on 29 September 2012.

[2] Artan Badar has been physically seen at the premises of former TFG Prime Minister Formajo by at least one eyewitness.

[3] Information confirmed by Somali security officials, Nairobi, 26 and 29 September 2012, as well as private Somali security contractor and Hawiye elders, Nairobi, in August and September 2012.

[4] See http://somalianewsroom.com/2012/07/19/somalia-deputy-minister-of-finance-assassinated-in-mogadishu/.

6. According to Somali security officials investigating these cases, Artan Bidar has 25 to 30 armed men working for him. These include a trusted lieutenant, Fathi Sheikh Muhudin (Hawiye / Karanle), who is also a close associate of both Sheikh Sharif and Sharif Hassan. Muhudin is responsible for running a team of 10 hit men. Reportedly, one of these men, "Ahmed" (Hawiye / Habar Gedir / Suleiman), led the assassination of the airport manager, Halane. The arrested hit men say they are paid 200 USD after successfully killing someone, 20 USD for surveillance and 5 USD in telephone credits. In addition to independently providing assassins for contract killings, Artan Bidar coordinates with Al-Shabaab hit squads through family connections with Ali Dheere.[5]

7. The Monitoring Group has not obtained irrefutable evidence of the involvement of Artan Badar in any specific murder, but has received consistent testimony that he remains a 'gun-for-hire' and an agent involved in infiltrating Al-Shabaab agents into the National Intelligence and Security Agency (NISA), under the cover of acting as informants against Al-Shabaab.

8. In addition, more than 200 Al-Shabaab prisoners seem to have been released on the instructions of former TFG President Sheikh Sharif and former TFG Interior and Security Minister Abdisamad Moalim Mohamud in late August 2012.[6] Two senior Somali security officials have told the Monitoring Group that two of the suicide bombers involved in the attack on the Jazira Hotel in Mogadishu on 12 September 2012, when President Hassan Sheikh was addressing his first press conference as President, were former prisoners who had been released in August.[7]

9. While the Monitoring Group could not verify the veracity of these claims, it has nonetheless obtained first hand eyewitness testimony from a Somali speaking individual present at the Jazira hotel on 12 September 2012. This individual overheard Somali police deployed inside the hotel discussing the entry plan of the second suicide bomber, who was eventually shot dead by a ministerial security officer that was not part of the police deployment.[8]

10. Furthermore, and according to reports from Somali security officials, Ahmed Moallim Fiqi, who stepped down as director of NISA on 25 March 2013, and Al-Shabaab enjoy a close relationship. Senior TFG officials have voiced concerns that Fiqi used Al-Shabaab agents to

[5] Information provided by Somali security officials, Nairobi, 26 and 29 September 2012.
[6] Interviews with Somali MP, 16 October 2012, senior Somali security source, 21 January 2013, and with FGS source, 24 November 2012. The amnesties for the prisoners were part of an annual amnesty for prisoners around the holy month of Ramadan, though a number of Somali security officials say the scale of the August 2012 release was unprecedented.
[7] Interview with two separate senior Somali security sources, 21 January 2013 and 16 January 2013.
[8] Information on police collusion with Al-Shabaab provided by eyewitness, 28 April 2013, and information provided on shooting of suicide bomber provided by TFG minister also present at Jazira hotel on 12 September 2012.

target political opponents within the government.[9] One senior security official that worked with Fiqi informed the Monitoring Group that several Al-Shabaab suspects he arrested claimed to be working as agents for Fiqi.[10]

11. While Al-Shabaab defectors are used regularly to gather information by intelligence agencies in Somalia, there are grounds for concern that Al-Shabaab and other spoiler networks may have leveraged entry points into NISA, where they have succeeded in gathering intelligence on NISA operations or positioning themselves to exploit political disputes at the heart of Government in Somalia.

12. As such, the Monitoring Group notes with concern the attempted theft of a number of mortar rounds from an arms and ammunition storage facility operated by NISA in Mogadishu on 15 March 2013. Two sources confirmed that security guards on duty at Villa Somalia arrested an individual attempting to smuggle out a number of mortar rounds from the NISA armoury on that day. One media report estimated as many as eleven mortar rounds were captured by the security guards, and suggested that subsequent Government investigations revealed a significant leak in NISA's armoury.[11]

[9] Interviews with former TFG officials who claimed to have interviewed a number of sources within NISA that testified Fiqi had deployed Al-Shabaab operatives to target the Mogadishu sports theatre on 4 April 2012, which was attended by former TFG Prime Minister Abdiwelli Mohamed Ali.
[10] Interview with senior Somali security source, 21 January 2013.
[11] Interview with military intelligence source, and separate confidential source 17 March 2013. See also "Cache of weapons stolen from Somali Presidential Palace" on Shabelle News, available at http://shabelle.net/cache-of-weapons-stolen-from-somali-presidential-palace/.

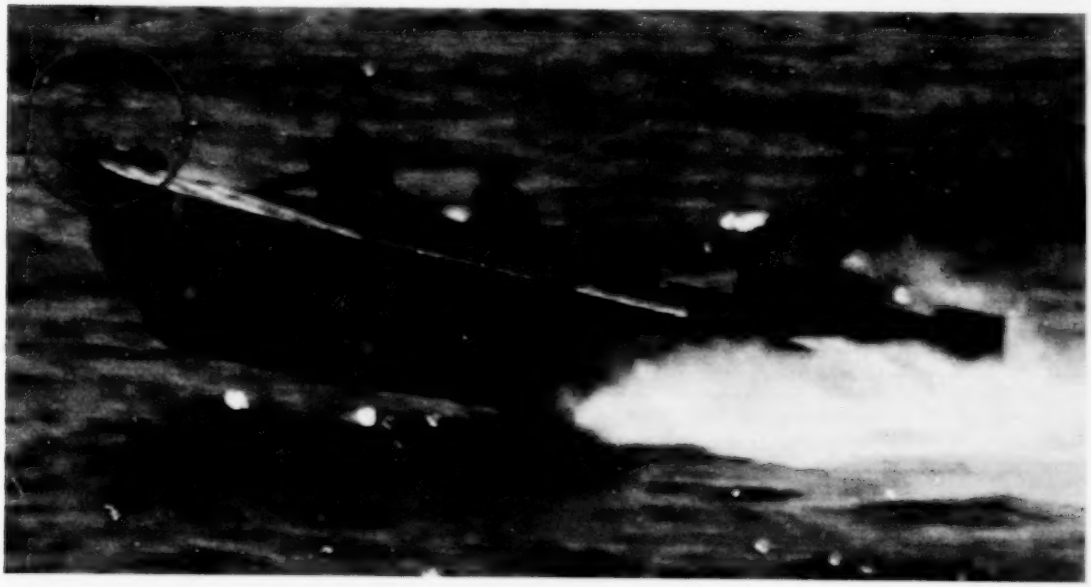
Annex 4

Piracy and kidnap for ransom

Annex 4.1: Fleeing pirates after a failed attack (2 April 2013)

1. While pirate operations have reduced in number and become smaller in scale, they have not ceased entirely. Attacks are still occasionally reported, such as on 2 April 2013 when the Sierra Leone-flagged general cargo vessel 'Alpha Kirawira' was attacked some 13 nautical miles south of Barawe. Eight armed men in a white-coloured skiff powered by two Yamaha Enduro outboard engines, chased and fired at the merchant ship. The security team on board responded by firing several warning shots. The pirates subsequently aborted the attack.

Armed Somali pirates fleeing in a Yamaha Enduro-powered skiff with boarding ladder visible after a failed attack on the general cargo vessel 'Alpha Kirawira' on 2 April 2013, some 13 nautical miles south of Barawe



Annex 4.2: President of Somalia letter of 28 February 2013

Jamhuuriyadda Soomaaliya
Madaxtooyada
Madaxa Xafiiska Madaxweynaha
Agaasinka Warfaafinta

جمهورية الصومال
الرئاسة
مدير مكتب الرئيس
وزارة الإعلام

Republic of Somalia
The Presidency
Directorate of Communications

JS/XM/DOC/ 608/13 Date:28/02/2013

For Immediate Release

SOMALI PRESIDENT CONFIRMS PARTIAL PIRATE AMNESTY

(Mogadishu, Somalia,28 February, 2013) The President of Somalia has confirmed his intention to launch an amnesty for young boys lured in piracy in Somalia in a bid to end attacks on shipping off the Horn of Africa.

The President said: "Somalia has been plagued by piracy for many years now and these criminals have badly affected global shipping. Piracy has to end."

"So we have been negotiating with pirates indirectly through the elders to see if we can organize a partial amnesty for the young boys lured in this criminal activity and joined the gangs."

"We must emphasize that this is just a partial amnesty and does not apply to the pirate kingpins, who take most of the money."

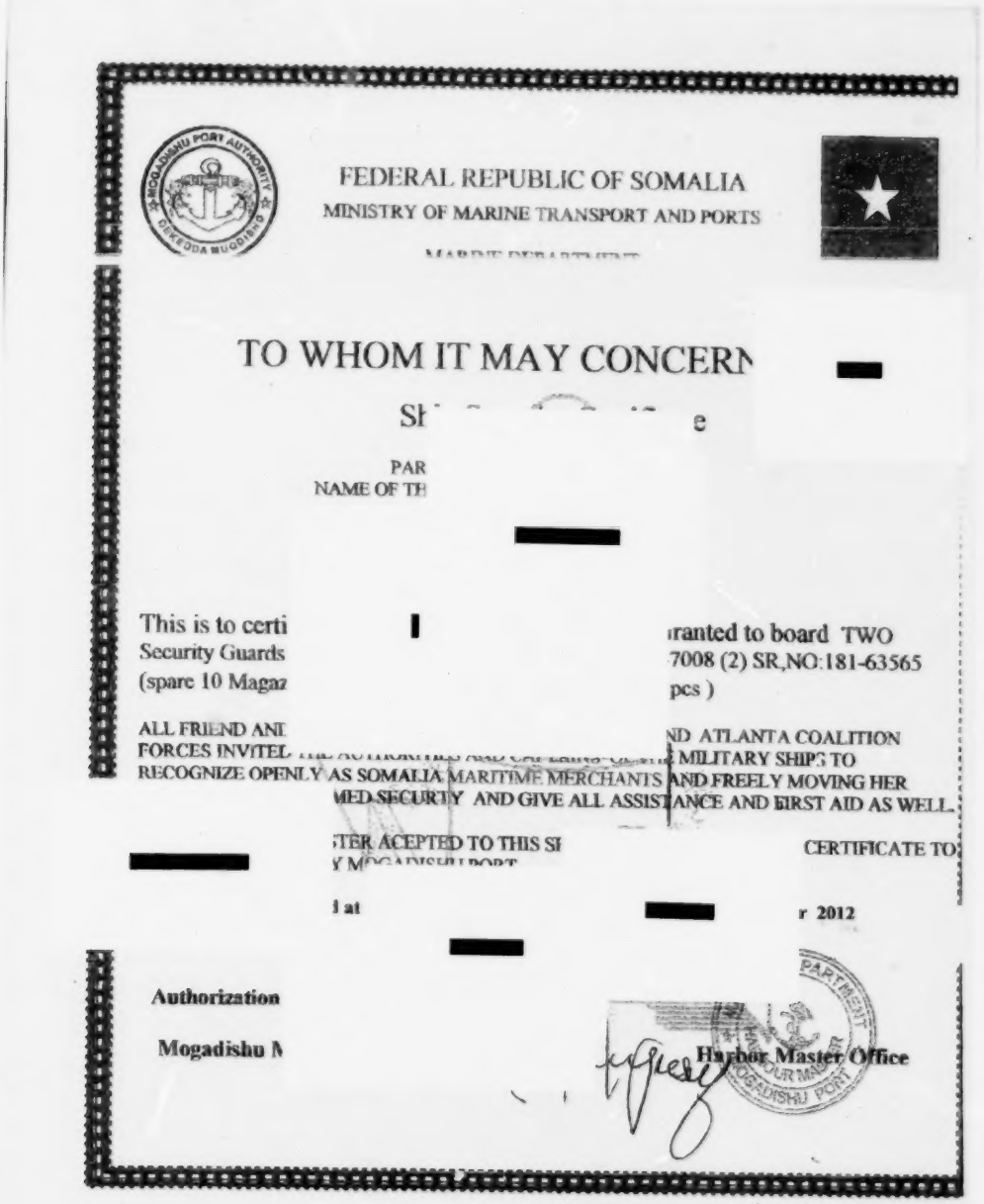
The President said that negotiations were still at an early stage and details have not yet been worked out.

ENDS

For further information or enquiries please contact Malik Abdalla, Communications Director, by email on mabdalla@presidency.gov.so

Annex 4.3: Ship Security Certificate (Mogadishu)

One-year Ship Security Certificate issued by the Mogadishu Marine Department of the Ministry of Marine Transport and Ports for a Somali operated vessel involved in regional trade between UAE and Somalia



FEDERAL REPUBLIC OF SOMALIA
MINISTRY OF MARINE TRANSPORT AND PORTS

TO WHOM IT MAY CONCERN

This is to certi ranted to board TWO
Security Guards 7008 (2) SR,NO:181-63565
(spare 10 Magaz pcs)

ALL FRIEND ANI ND ATLANTA COALITION
FORCES INVITEL MILITARY SHIPS TO
RECOGNIZE OPENLY AS SOMALIA MARITIME MERCHANTS AND FREELY MOVING HER
MED SECURITY AND GIVE ALL ASSISTANCE AND FIRST AID AS WELL.

TER ACEPTED TO THIS SI CERTIFICATE TO
Y MOGADISHU PORT

l at r 2012

Authorization

Mogadishu M Harbor Master Office

Annex 4.4: Pirate financier (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 4.5: Pirate negotiator (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 4.6: Pirate negotiator (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 4.7: Pirate facilitator (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 4.8: Pirate facilitator (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 4.9: Pirate negotiator (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 4.10: Pirate network linkages (STRICTLY CONFIDENTIAL)*

* The annex has not been reproduced in the present document because it is strictly confidential.

Annex 5

Misappropriation of public financial resources

Annex 5.1: Corruption during the 2012 end of transition process

1. The Monitoring Group has obtained eyewitness testimonies and documentation of wide spread manipulation, financial bribes and threats occurring before and during the September 2012 Parliamentarian and Presidential elections.[1] Such manipulation of the elections resulted in individuals linked to the previous regime, and a number of warlords, being returned to positions of power, and in special interest groups capturing the political environment. The Monitoring Group has also obtained information of large-scale financial contributions from Gulf States that were used by principal candidates to buy political support during various stages of the elections (see below).

2. Outgoing officials of the Transitional Federal Government (TFG), from the majority clans, were able to steer the electoral process from its inception in order to reinforce their own power bases.[2] In particular, former TFG President, Sheikh Sharif Sheikh Ahmed (Hawiye clan), former TFG Prime Minister Abdiweli Mohamed Ali Gaas (Darod clan) and former TFG Speaker of Parliament Sharif Hassan Sheikh Aden (Rahanwein / Ashraf but related to the Digil-Mirifle clan) manipulated the registration of traditional elders who would select Members of Parliament (MPs), and who in turn would select the Speaker of Parliament and President of Somalia. Key figures in this process also included former Minister of Interior, Abdisamad Mo'allin Mohamud, who controlled the distribution of identification cards to registered elders, and Khadija Diriye Mohamed, who was on the Electoral Commission[3] and bribed a number of elders to influence the MP selection process.

3. The Monitoring Group has also obtained first hand accounts of threats issued against members of the Technical Selection Committee (TSC), the UN-backed[4] vetting committee tasked with assessing eligibility of electoral candidates,[5] as well as eyewitness testimonies of candidates engaged in bribing and threatening MPs during the selection of the President. In addition, presidential candidates used financial contributions from the United Arab Emirates (UAE) and Qatar to buy MP votes during the presidential election.

Manipulation of elders' registration

4. The corruption began with the exclusion of the majority of genuine elders in advance of the MP selection process.[6] Sharif Sheikh Ahmed, Sharif Hassan Sheikh Aden and Abdiweli Mohamed Ali tasked cabinet members in the TFG to register elders. However, only 135 of the

[1] See also http://www.hiiraan.com/news4/2012/Aug/25559/new_somali_govt_change_of_name_same_old_game.aspx.
[2] http://unpos.unmissions.org/LinkClick.aspx?fileticket=c5dfl5pV7q8%3D&tabid=9705&mid=12667&language=en-US.
[3] The Electoral Commission was responsible for setting conditions for presidential candidates, creating the presidential ballot, and setting the date of the election.
[4] http://unpos.unmissions.org/LinkClick.aspx?fileticket=dgSbKEsV1n0%3D&tabid=9705&language=en-US.
[5] http://unpos.unmissions.org/LinkClick.aspx?fileticket=dgSbKEsV1n0%3D&tabid=9705&language=en-US.
[6] The Transitional Road Map gave only the majority clans (Hawiye, Darod, and Digil-Mirifle) the power to select elders.

traditional elders were registered by the outgoing TFG.[7] The Monitoring Group has received testimonies that TFG officials in charge of selecting elders routinely made deals with such elders to pick MPs who would be amenable to the interests of the outgoing TFG principals. In many cases, the elders chosen were considered imposters by their local communities.[8]

5. The Monitoring Group has obtained eyewitness testimony of the manipulation of the elders process by senior officials in the TFG. In particular, the former Interior Minister Abdi'samad Mohamud Ali exercised the final decision over the nomination of elders through his control of the production of identification documents for elders.[9] The Monitoring Group has obtained first hand testimony detailing the selection by Abdisamad Mohamed Ali of an Al-Shabaab-aligned elder who in turn used his position as an elder of the Hawiye / Habar Gidr / Ayr clan to select Abdi'samad Mohamed Ali as an MP. The elder chosen by Abdisamad Mohamed Ali was Ugas Abdi Dahir, a former ARS-Asmara official and agent of Eritrea who has been named in a previous Monitoring Group report.[10]

6. The Monitoring Group has also gathered evidence of the role of some of the principal TFG leaders in bribing elders. Prime Minister Abdiweli Mohamed Ali organized the appointment of a false elder to the Gadabursi / Haber Afan clan, Sultan Abeeb Aw Muhumed. He received 8000 USD from loyal MPs in return for their names being submitted to the TSC.[11] The Monitoring Group has also received information that Sheikh Sharif Sheikh Ahmed gave 50,000 USD to a Darod / Warsangeli elder for his support.[12]

7. Furthermore, on 9 August 2012, the elder, Suldan Said Abdisalam, submitted a list of five MPs to the TSC. However, of this list only one name, Dahir Haji Gele Farah, was appointed as an MP (see annex 5.1.a). According to sources, the other four names were replaced by individuals who, like Dahir Haji Gele, paid Suldan Said Abdisalam for their MP seats. Additionally, he selected them on condition that they would vote for Abdiweli, who had also paid him.[13]

Threats to elders

8. Since the 2012 election, five elders who participated in the selection of Parliamentarians have been murdered. The family of one elder stated that he had received several death threats

[7] http://www.somaliareport.com/index.php/post/3393/What_Does_it_Mean_to_be_a_Somali_Elder_.
[8] Multiple interviews with government sources; 14 September 2012, 17 October 2012, 26 November 2012, 6 December 2012.
[9] Interviews with former members of the Technical Selection Committee, 13-14 September 2012, and with former TFG MP, 16 September 2012.
[10] Interview with TFG MP, 16 September 2012 who has strong connections with the Habr Gidr / Ayr community. Also see S/2011/433 for information on Ugas Abdi Dahir.
[11] Interview with three former Members of Parliament, 22 January 2013, Mogadishu, Somalia.
[12] Interview with former Members of Parliament, 6 December 2012, Mogadishu, Somalia. This was witnessed by a close associate of one of the MPs being interviewed.
[13] Interview with former Members of Parliament, 6 December 2012, Mogadishu, Somalia.

from unknown individuals.[14] Al-Shabaab had previously threatened to assassinate any elder found to have participated in the election process.[15]

9. According to TSC members, one elder who did not support Sheikh Sharif was kidnapped and forced at gunpoint to fill out a list of MPs in favour of Sheikh Sharif to be submitted to the TSC.[16]

Manipulation of Members of Parliament selection

Threats and obstruction of the Technical Selection Committee

10. Once the traditional elders were identified, a 27 member TSC was appointed in June 2012 to evaluate the individuals put forward by those elders for MP seats.[17] The registered elders were required to submit two individuals for each seat.[18]

11. TSC members, who had the right to reject the nomination of MPs by elders on the grounds of their prior history, were routinely harassed and threatened during the process of vetting candidates submitted by the committees of elders. TSC members have reported to the Monitoring Group that they received threats following their decision to veto the election of 27 MPs by elders on the grounds that many of these candidates had been warlords with histories of having committed grave human rights violations. Notwithstanding TSC objections, at least 17 of these 27 candidates were returned as MPs following a decision by Chief Justice Aideed Abdullahi Ilko Hanaff to veto the objections of the TSC (see annex 5.1.b).[19] According to several sources each warlord paid 20,000 USD to the Chief Justice to rule in their favour.[20] TSC members report that Sharif Hassan Sheikh Aden supported the return of these candidates.[21]

Threats to Members of Parliament

12. Members of Parliament resided in secure hotels near Kilometre 4 in Mogadishu due to threats to government officials from Al-Shabaab. The hotel bill for each MP was covered by the TFG and guaranteed by a letter. As such, security became a tool to leverage compliance from

[14] http://www.raxanreeb.com/2013/04/somalia-elder-who-helped-selection-of-mps-is-assassinated-in-marka-town/.
[15] http://www.raxanreeb.com/2013/04/somalia-elder-who-helped-selection-of-mps-is-assassinated-in-marka-town/.
[16] Interview with members of the TSC, 14 September 2012, Nairobi, Kenya.
[17] http://unpos.unmissions.org/LinkClick.aspx?fileticket=dgSbKEsV1n0%3D&tabid=9705&language=en-US.
[18] http://puntlandi.com/wp-content/uploads/2012/02/Garowe-II-Principles.pdf.
[19] Interview with TSC members, Nairobi, 14 September 2012.
[20] Interview with former MP on 2 May 2013, Nairobi, Kenya. Information supported by TSC testimony on 14 September 2012 (see below), and information from Somali Government source, 22 January 2013.
[21] Interviews with four TSC members, 14 September 2012, Nairobi, Kenya. TSC members also reported that the Chief Justice intervened in person to object to the veto of the 27 candidates, and that in one case a former warlord who had been vetoed was able to enter the TSC compound in Mogadishu where he issued threats against TSC members.

MPs. A source told the Monitoring Group that one MP who was at odds with Sharif Hassan Sheikh Aden was evicted from his hotel.[22]

13. When all else failed, obstruction and the use of physical force was employed to prevent uncooperative MPs who had been approved by the TSC from attending the MP swearing in ceremony. One MP was forcibly taken out of line as she attempted to enter a bus bound for the swearing in ceremony. She walked to the airport, where she was physically prevented from entering to be sworn in as an MP.[23]

Joint Parliamentarian complaint

14. On 10 August 2012, a joint complaint letter was drafted by Parliamentarians, clan elders and intellectuals from mainly Dir and marginalized minority clans condemning the election process as corrupt, and highlighting several examples of bribery and corruption (see annex 5.1.c). Many of the individuals who came forward with this complaint were threatened and had to go into hiding.[24] The Parliamentarians attempted to take their complaint to court in late August 2012, but were denied a hearing by Chief Justice Aideed Abdullahi Ilko Hanaff. Several sources have identified Chief Justice Aideed Abdullahi Ilko Hanaff as having extracted bribes in return for filing court cases. In one instance, he is accused of requesting 10,000 USD to file a case, while the actual filing fee is 100 USD.[25]

Speaker of Parliament election

15. The Monitoring Group has obtained testimony detailing threats issued by former TFG Speaker Sharif Hassan Sheikh Aden during the election of the new speaker of parliament. In particular, during a clan meeting in Mogadishu in June 2012, Sharif Hassan Sheikh Aden stated that he would kill anyone from the Digl-Mirifle clan who would contest the election of the Speaker of Parliament.[26]

Presidential election

16. Sources identified Khadija Diriye Mohamed as a key player involved in facilitating corruption in the election of the President. She was appointed to the Electoral Commission which received applications for the position of President and created the final ballot. Potential candidates were required to submit their curriculum vitae, the application and a 10,000 USD

[22] Interview with former Member of Parliament, 19 December 2012 in Nairobi, Kenya. According to other MPs and former MPs, they were required to reside in hotels for security reasons and this was paid directly by the TFG for MPs. Information corroborated by Central Bank payments to Mogadishu hotels.

[23] Interviews with Government sources, 22 January 2013.

[24] Testimonies given to the Monitoring Group from former Parliamentarians, 6 December 2012. One MP received telephone death threats after participating in a Somali radio interview in Mogadishu.

[25] Interview with separate unrelated eyewitnesses and government sources, 22 January 2013, Mogadishu, Somalia.

[26] Interview with eyewitness on 12 December 2012, Nairobi, Kenya and former MP, 19 December 2012, Nairobi, Kenya. According to a former MP, Sharif Hassan stated this in an open Rahanweyn meeting in June 2012 in Mogadishu, Somalia.

entry fee.[27] Four days before the election, she resigned from the Commission, citing conflict of interest due to her desire to support Sheikh Sharif[28] and is accused of stealing the final presidential ballot to use as a means of bribing MPs.[29] She has also been accused of active involvement in the bribery of elders to manipulate the MP selection process.[30]

17. Just before the election, Sheikh Sharif Sheikh Ahmed and Sharif Hassan Sheikh Aden hosted an event for MPs at the Palace Hotel in Mogadishu. During this event, numerous MPs were taken aside and offered bribes for their votes.[31] Sources witnessed money being handed out in exchange for votes, and observed Sharif Hassan personally bringing a suitcase of money to this event to pay off MPs.[32]

Financial contributions from abroad

18. The Monitoring Group has obtained evidence that Sheikh Sharif Sheikh Ahmed and Sharif Hassan Sheikh Aden both sourced considerable funds from the United Arab Emirates.[33]

19. The Monitoring Group has also obtained evidence that President Hassan Sheikh's entourage were also complicit in bribery. Sources indicate that the President received several million dollars from Qatar which was used to buy off political support.[34] Important carriers of cash donations from Qatar include Fahad Yasin and Abdi Aynte, two former journalists from the Doha based news organisation *Al-Jazeera*. They are now senior figures at the Heritage Institute for Policy Studies (HIPS), an FGS-aligned think tank in Mogadishu established with financing from Qatar. Aynte, the director of HIPS, is a prominent member of the *Ala Sheikh* political and business association of former TFG President Sheikh Sharif Sheikh Ahmed. Yasin, an associate of HIPS, is the nephew of Farah Abdulqadir, the current Minister of State for the Presidency and part of the *Damul Jadid* political association close to President Hassan Sheikh. Both Aynte and Yasin are important figures in consolidating cooperation between *Ala Sheikh* and *Damul Jadid*.

[27] http://sabahionline.com/en_GB/articles/hoa/articles/newsbriefs/2012/09/04/newsbrief-04.

[28] http://khaatumonews.com/2012/09/05/mid-kamid-ah-xildhibaanadii-ku-jiray-gudiga-doorshada-oo-is-casishay-taageero-ay-sheekh-sharif-u-heyso-darteed/.

[29] Interviews with several former MPs, 26 November 2012, Nairobi, Kenya, and 6 December 2012 and 22 January 2013, Mogadishu, Somalia.

[30] Interviews with former Members of Parliament, 6 December 2012 and 22 January 2013. During the election, another eyewitness and former MP overheard a telephone conversation an elder was having where the caller stated that he had 40,000 USD for him. The elder instructed payment to be made through Dahabshiil.

[31] Interviews with several MPs, 26 November 2012, 6 December 2012, and 22 January 2013. MPs have accused Khadija of providing Sheikh Sharif with the final ballot to use in the bribery of MPs at the Palace Hotel event. MPs were taken aside and given 5000 USD in exchange for their vote, and they were required to sign the ballot in front of him and then bring it to the voting. According to MPs, this was why the newly elected Speaker Mohamed Osman Jawari required that all ballots had to be stamped by him before they could be counted.

[32] Interview with eyewitness who is a former MP, 14 February 2013, Minneapolis, MN, U.S.A.

[33] Meeting with Somali analyst, 7 September 2012 and senior UN officials involved in the electoral process, 12 September 2012 and 13 September 2012. See also http://www.aljazeera.com/news/africa/2012/09/201291083927688186.html.

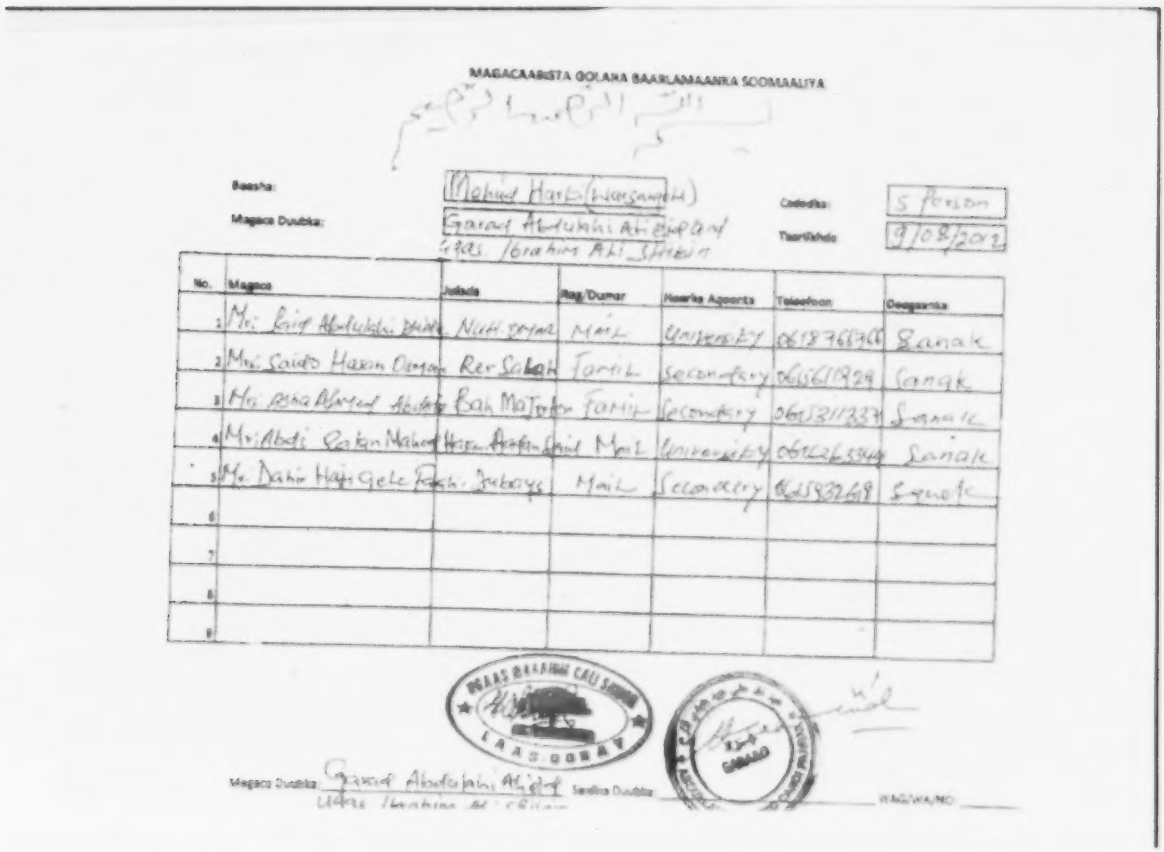
[34] Interviews with Hawiye elders involved in payments to MPs, 2 September 2012 and 26 September 2012.

20. Yasin has been involved in carrying cash donations from Qatar on behalf of President Hassan Sheikh, according to emails dated 4 March 2012 between Hassan Sheikh and Abdulkadir Barnamij.[35] Two FGS officials confirm that during the election process, Yasin carried substantial funds from Qatar to Mogadishu for the campaign of Hassan Sheikh.[36] One source told the Monitoring Group that he was offered 10,000 USD to vote for Hassan Sheikh, and he was instructed to get into a vehicle with the current Minister of State for the Presidency Farah Abdulqadir to be paid.[37]

21. Overall, given the stakes, corruption in the 2012 elections was unprecedented in scale of funds and numbers of individuals paid for their support.[38] In many ways, the process of ending the transitional period in Somalia and the use of public and private resources to obtain power helped recycle the patterns and practices of mismanaging funds of past administrations into the new Government (see annex 5.2).

[35] Information contained in emails provided by source between Hassan Sheikh and Abdulkadir Barnamij on 4 March 2012.
[36] Interviews with FGS officials, 3 December 2012 and 15 January 2013.
[37] Interview with former Member of Parliament, 14 February 2013.
[38] Interview with former MPs, Mogadishu, 6 December 2012 and Nairobi, 7 June 2013.

Annex 5.1.a: TSC submittal sheet



MAGACAABISTA GOLAHA BAARLAMAANKA SOOMAALIYA

Baasha: Mahad Hanti (Wanaag)

Magaca Dudka: Garaad Abdulkadir Ali Shirdon / Cabdi Ibrahim Ali Shirdon

Codadka: 5 Person

Taariikhda: 9/08/2013

No.	Magaca	Jubbada	Rag/Dumar	Hawlka Aqoonta	Telefoon	Deegaanka
1	Mr. Eng Abdulkadir Sheikh	Ninth Senate	Male	University	0618768760	Banadir
2	Mr. Saiido Hassan Osman	Ber Sokah	Female	Secondary	0615611929	Banadir
3	Mr. Abdi Aziz Ahmed Sheikh	Bah Maxamed	Female	Secondary	0615211337	Banadir
4	Mr. Abdi Rahman Mahad Hassan Sheikh		Male	University	0615263944	Banadir
5	Mr. Dahir Haji Gele Sheikh	Jubbaya	Male	Secondary	0615937648	Banadir
6						
7						
8						
9						

Magaca Dudka: Garaad Abdulkadir Ali Shirdon / Cabdi Ibrahim Ali Shirdon Saxiixa Dudka: _____ WAQWAAN: _____

Annex 5.1.b: List of vetoed candidates from the TSC

Magaca la diidav	Beesha
Mohamed Hussein Nor 'xagafe'	Daarood
Osman Aden Dhubow	Daarood
Axmed Warsame Maxamed	Daarood
Xuseen Warsame Samatar	Daarood
Sudow Aadan Abaadir	Digil Mirifle
Faaduma Xaaji Nuur	Digil Mirifle
Adan Maxamed Nur Xaydar	Digil Mirifle
Saredo Cabdalle	Digil Mirifle
Sh Aden Maxamed "Madoobe"	Digil Mirifle
Maxamed Xuseen Isaq (afaraale)	Digil Mirifle
Axmed Xaaji Maxamed Cabdi	Digil Mirifle
C/casiis Isaaq Mursal	Digil Mirifle
Maxamed Ibraahim Xasbsade	Digil Mirifle
C/nur Cali Cabdulle	Digil Mirifle
Dr Cabdicasiis Sheikh Yusuf	Dir
Suuriye Duriye Carab	Dir
Prof Abdullahi Sheikh Ismail Ali	Dir
Prof Abdulrahman Adan Ibrahim Ibbi	Dir
Abdulkadir Hagi Mohamed Yusuf (Lugadheere)	Hawiye
Axmed Du'aale Geele (Xaaf)	Hawiye
Bootaan Cuse Caalin	Hawiye
Cumar Maxamud Maxamed (Cumar Finish)	Hawiye
Eng Maxamed Jaamac Kulmiye	Hawiye
Maxamed Faarax Juncaale	Hawiye
Maxamed Qanyare Afrax	Hawiye
Mukhtar Iuosan Abdulle	Hawiye
Xirsi Aadan Rooble	Hawiye

Annex 5.1.c: Joint complaint letter

Date: 10/08/2012

Joint complain about manipulation of the selection of the parliamentarian

We undersigned representing all segment of Somali society across 5 main clan groups based on 4.5 formula which include parliamentarians, clan elders, intellectuals, parliamentarian, women and youth are complaining from manipulation parliamentarian selection process through different tactics including corruption abuse of power and other illegal methods which undermine reconciliation, stability and national peace process as well as jeopardize the legitimacy of the outcome of this critical process to end the transition successfully.

We are condemning in the strongest term manipulation tactics and corruption surrounded selection of the parliamentarians from relevant stakeholders in charged in this mission. We would like to declare that we observed serious violations that damaging ending the transition through sophisticated tactics at different levels aiming to hijack and divert the process.

Accordingly, we are appealing all relevant concerned parties to intervene manipulation and corruption tactics which represent a real threat to peace and security of Somalia and beyond it also produce a counterproductive result which will undermine Somalis and international efforts to stabilize Somalia if these abuse and distractive approaches not contained and held liable.

Finally, **we are appealing to relevant donors, international observers and concerned countries to intervene urgently and investigate alarming levels of corruption incidents** by using bribery, intimidation, violence and other unfair means to affect the selection of the parliamentarians, as well as the election of the parliamentary speaker, deputies and the president etc. There is several other manipulation tactics carrying out to damage legitimacy of the process and undermining international efforts aimed to re-establish effective Somali institutions during post transition period in Somalia.

Submitted by victims of countering corruption which their names are as the following:

S	Name	Title	Signature	Remarks
1	Mohamed Hassan Daryeel 5th marginalized minority clans : **Yibir**	Coordinator of Parliamentarian forum against corruption and fostering integrity		Complaining from abuse of power from the clan elder who submitted the loser candidate and incompetent after gaining 9 votes from 11 voters on direct election session chaired by the clan elder. As per attached.
2	Amir Ahmed Mohamed Jaketi 5th marginalized minority clans : **Banadiri**	Parliamentarian forum against corruption and fostering integrity		Complaining from abuse of power from the registered clan elder which ignored constituency and full clan support clan elder. As per attached documents.

	Name & Clan	Title	Signature	Remarks
3	Muse Nur Amin Hawiya, Galjel	Member of Parliamentarian forum against corruption and fostering integrity		Complaining from abuse of power from the registered clan elder which ignored constituency and full clan support clan elder. As per attached documents.
4	Asha Ahmed Abdallah Darood, **Warsangali**	Chairman of TFP fins;ocial standing committee and member of Parliamentarian forum against corruption		Complaining from abuse of power from the registered clan elder and corruption related issue to exclude me while having full constituency and clan support. As per attached documents.
5	Abdo Mah Farah Dir, **Gadabursi**	member of Parliamentarian forum against corruption and fostering integrity		Complaining from abuse of power from the registered clan elder and corruption related issue to exclude me while having clan support. As per attached documents.
6	Mohamed Barre Hussein 5th marginalized minority clans – **YAHAR**	member of Parliamentarian forum against corruption and fostering integrity		Complaining from manipulation, abuse of power from another clan elder and corruption related issue which hijacked our clan rights. As per attached documents.
7	Suleyman Mohamed Ibrahim Dir clans – **Isaq (Haber Jelo)**	TFP financial standing committee and member of Parliamentarian forum against corruption and fostering integrity		Complaining from abuse of power from the registered clan elder and corruption related issue to exclude me while having clan support. As per attached documents.
8	Abdi Qadir Farah Karama 5th marginalized minority clans – **Jareer weyne Bantu**	TFP constitutional standing committee and member of Parliamentarian forum against corruption and fostering integrity		Complaining from manipulation, abuse of power from another clan elder and corruption related issue which hijacked our clan rights. As per attached documents.

Annex 5.2: Public financial mismanagement and corruption

1. Since the collapse of the Somali State in 1991, there have been some seventeen transitional processes driven by power-sharing arrangements based on representation of the major clans, the so-called '4.5 formula'. Throughout these political configurations, there has been no complementary process regarding reconciliation over resources, with a definition of clear ownership of public goods. Without this clarity, following the collapse of the Government, Somalis did not consider looting national assets in customary law terms as stealing. Such attitudes became institutionalised as a sense of entitlement in successive transitional authorities with public and private officials seeking personal profit from public resources. The pursuit of power and profit became indistinguishable.

2. By 2012, the World Bank described the complete absence of a system of public financial management (PFM) in the Transitional Federal Government (TFG) of Somalia and reported 131 million USD of Government revenues unaccounted for in 2009-2010, equivalent to a 68 per cent diversion rate for the two years. The World Bank concluded that the Government had sufficient funds from internal revenues to pay all civil servants, parliamentarians and security forces.[1] The Monitoring Group assessed that these patterns continued in 2011 (S/2012/544).

3. During the 2011-2012 Roadmap process, a series of meetings were convened to formulate the modalities for the end of the transition. Between 15 and 17 February 2012, at Garowe II, the issue of resources was briefly on the agenda, but overwhelmed by other pending issues. Without clarity about management of public goods, either within the central Government or with regional administrations, the same sense of entitlement to resources would continue in the post-transition regime, recycling many of the patterns of corruption of the past. In particular, a genuine end of transition process entailed both a change of individuals and a change of system. While elections in summer 2012 ultimately led to a new President, Hassan Sheikh Mohamud, his Government inherited the legacy of the TFG. In this regard, the new regime cannot necessarily be faulted with continuing patterns of corruption per se, but can be held responsible for appointment of individuals involved in past or present corruption. Notably, when Hassan Sheikh came to office, he was not in a position to fully control internal revenue streams and therefore address existing or new forms of diversion.

The Central Bank of Somalia and the *fadlan* system

4. The Monitoring Group previously reported that "the systematic misappropriation, embezzlement and outright theft of public resources have essentially become a system of governance."[2] At the heart of this system is the Central Bank of Somalia (CBS). Donor concern has focused on diversion at sources of internal and external revenue and considered deposits in the CBS as the legitimate use of funds by the Government and a key step in establishing a

[1] World Bank, "Summary of Financial Diagnostic Assessment of 'Audit Investigative Financial Report 2009-10'", 30 May 2012.
[2] S/2012/544, paragraph 15.

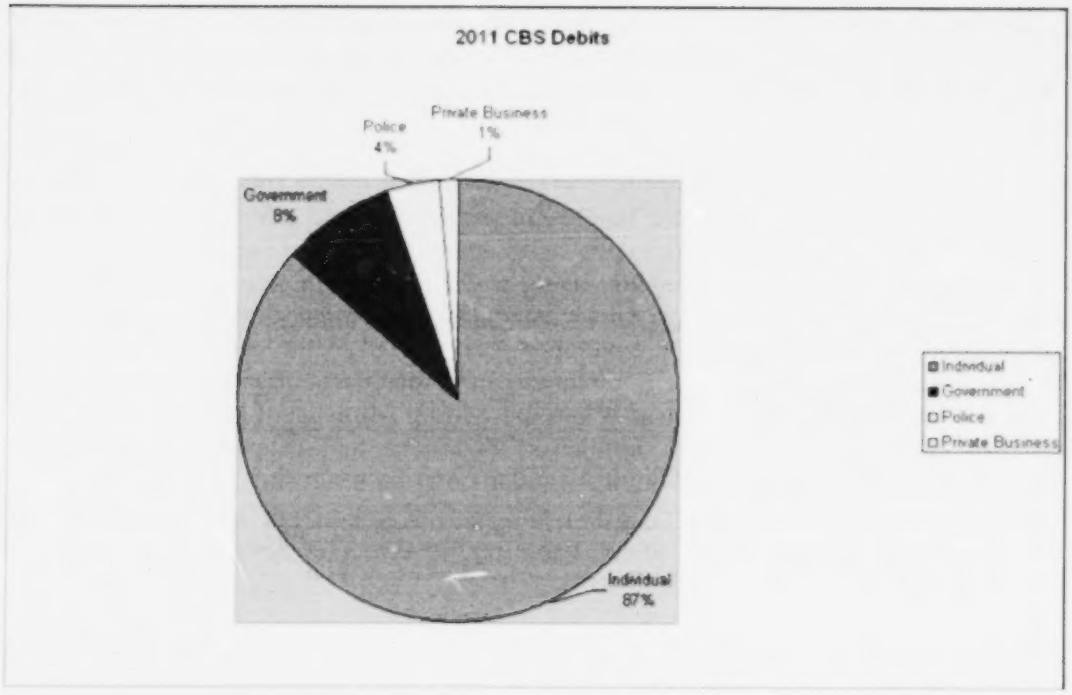
functioning system of public financial management. However, careful analysis of the actual accounts of the CBS in its current state clearly demonstrates that deposited funds are not used for the running of the institutions of Government and the CBS does not serve as an address for this purpose.

5. Endemic in past and current administrations is the system of *fadlan* (please). According to this practice, private individuals, whether inside Government or outside, make requests to members of the leadership for private payments that cannot be resisted for personal or other reasons. The senior politician signs a note authorising payment that is honoured at the Ministry of Finance or the Central Bank directly. This custom is also called the "khaki envelope" procedure on account of the colour of the envelopes seen carried to the Ministry of Finance. Since banks in Somalia, including the CBS, cannot make electronic transfers internally or externally, all transactions are made in cash. While the current Minister of Finance, Mohamud Hassan Suleiman, has made every good faith effort to reduce the scale of *fadlan*, it is so pervasive as to be beyond his control without a fundamental restructuring of the system.[3] In fact, the CBS accounts are effectively a snapshot of a patronage network and social relations that defy the institutionalisation of the State. They are, in effect, a definition of what the Government is and what it is not.

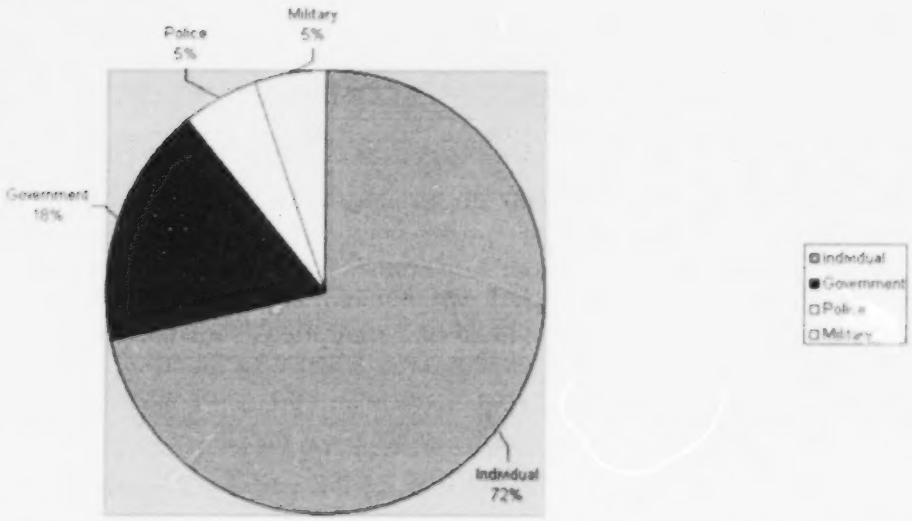
6. The sources of deposits into the CBS are sometimes indicated but often not. Deposits by the Ministry of Finance, in particular, do not indicate any origin. In addition, there are three types of withdrawals recorded. First, withdrawals are made in the name of a private individual. Second, withdrawals are made for an individual ostensibly associated with a ministry, but it is unclear if that individual is acting in a private capacity, on behalf of a minister privately, or if there is a legitimate operational cost for the ministry. Officially, only a cashier of a ministry is supposed to be able to withdraw funds from the CBS, though this is rarely the case.[4] Third, withdrawals are made on behalf of an institution of Government, which can be assumed in principle to be intended for an operational cost.[5]

7. According to CBS records, payments to private individuals constitute the bulk of withdrawals. In 2011, these amounted to 87 per cent and in 2012 to 76 per cent of all withdrawals. During the period of the current Government, between September 2012 and April 2013, 72 per cent of withdrawals were made for private individuals. According to one estimate, the annual average over 12 years of individual and purported Government withdrawals was 88 per cent.[6] Such statistics indicate that the CBS has effectively functioned as a 'slush fund' for the *fadlan* system rather than as a financing mechanism for Government expenditures.

[3] Interviews with the Minister of Finance, Mohamud Hassan Suleiman, 12 April 2013.
[4] Interview with former member of the Board of the Central Bank, Nairobi, 18 May 2013.
[5] Analysis of CBS records 2010-2013 accessed by the Monitoring Group, May 2013.
[6] Abdirizak Fartaag, "Public Sector Finance in Somalia", 21 March 2013.



September 2012 - April 2013 - Hassan Sheikh Administration



8. Figures drawn from the CBS records are at odds with the structure of national budgets and the order attributed to Government finances by the Office of the Accountant. Overall national budgets are invariably divided into what is stated to be available from internal revenue and what is needed from donors to meet Government needs, as follows:

- 2009 budget for the period July to December: overall 55 million USD; 11 million USD available from internal revenue and the remainder expected from donors.
- 2010 budget: overall 110 million USD; 20 million USD available from internal revenue and remainder expected from donors.
- 2011 budget: overall 98 million USD; 28 million USD available from internal revenue and remainder expected from donors.
- 2012 budget: overall 92 million USD; 43 million USD available from internal revenue and remainder expected from donors.
- 2013 budget: 84 million USD; 53 million USD available from internal revenue and remainder expected from donors.[7]

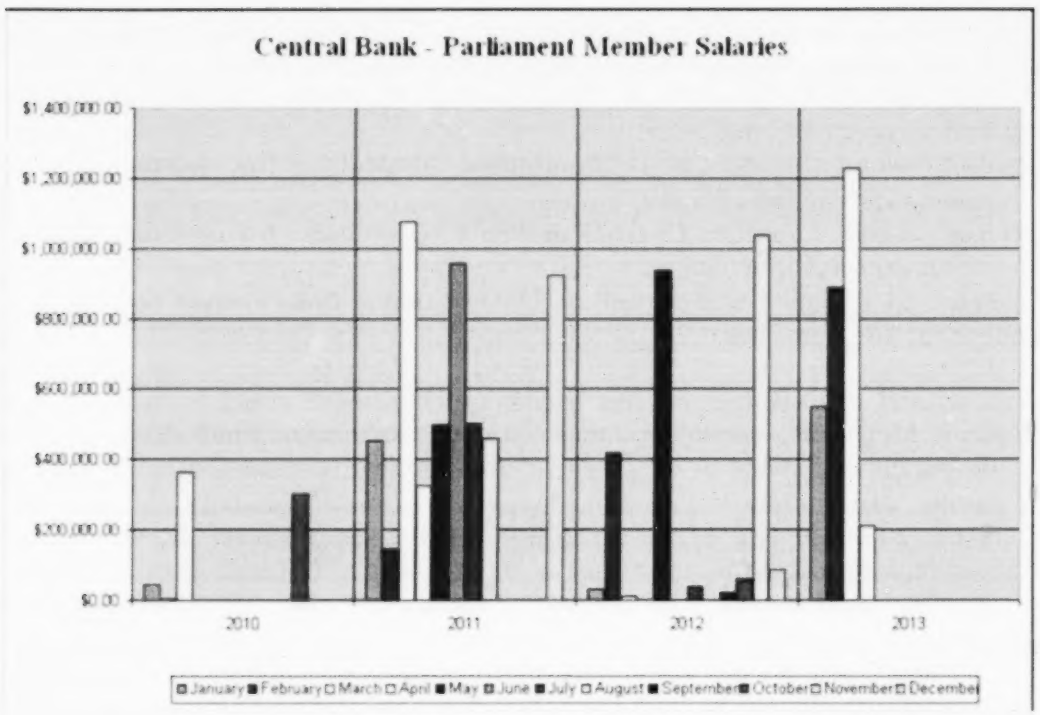
9. The overall amount of these budgets corresponds roughly to the actual internal revenue already generated in Mogadishu, combining funds diverted at source and funds deposited into the CBS.[8] While the amount stated to be available from internal revenue can be compared, depending upon the year, to the scale of funds passing through the CBS, which were 49.5 million USD in 2011 and 41.2 million USD in 2012. The annual breakdown of national revenue and expenditures provided by the Office of the Accountant General either artificially corresponds to figures stated in a national budget (2009 and 2010) or to CBS funds (2012).[9] However, the line items of income and expenditure attributed to the functioning of Government by the Auditor General bear no resemblance to the deposits and withdrawals at the CBS overwhelmingly for private individuals.

10. According to CBS accounts, one individual in particular has withdrawn the greatest percentage of funds. Between 2010 and 2013, Shir Axmed Jumcaale, a cashier at the Ministry of Finance, withdrew 20.5 million USD in his name. These funds were used for individual *fadlan* payments made directly by successive Ministers of Finance or officials at the Ministry of Finance, separately from direct individual payments from the Central Bank.[10] Such lump sum withdrawals obscure further accounting of private individual transactions between officials and the recipient.

11. Another individual made the second largest withdrawals. Between 2010 and 2013, Colonel Abdiqaadir Moalin Nuur withdrew 4.7 million USD in his name. There is no further explanation of the purpose of the withdrawals.

12. Sporadic and uneven payments to Members of Parliament are an indistinguishable combination of donor stipends and *fadlan* payments.[11]

[7] Assessment of Somali national budgets between 2009 and 2013 of successive administrations.
[8] World Bank, "Financial Diagnostic Assessment", April 2012.
[9] Ibid.
[10] Multiple individuals working at the Central Bank and Ministry of Finance interviewed by the Monitoring Group in 2012 and 2013, confirm that these withdrawals are for individual *fadlan* payments.
[11] Confirmed by Central Bank sources, Nairobi, 27 February 2013 and 10 March 2013.



13. Generally, given the lack of transparency of its funds and the manner in which they are distributed, the CBS does not function as an organ of Government subject to policy decisions or oversight from integrity institutions and Parliament. This is further exacerbated since members of the Board of the CBS are not currently in place and able to authorise decisions, which are left to the will of the present Governor, Abdusalam Omer, appointed on 13 January 2013.

The fiduciary agent model

14. By 2009, with growing donor concern about corruption in the TFG and reluctance to provide direct budget support, an alternative financing mechanism, the Financial Management Agency (FMA), was established in June 2009 through PricewaterhouseCoopers Associates Africa Limited (PWC) based in Nairobi. It was originally conceived as a fiduciary agent with a broad scope of responsibilities. The FMA was to provide a number of services on behalf of donors to the TFG:

- Financial management of development partner funds, included, *inter alia* controlling a financial flow between Nairobi and Mogadishu and verifying the "tracking of flow and usage of funds", as well as reviewing budgets for expenditures;
- Tracking and monitoring funds to "ensure disbursed funds are used effectively and efficiently for purposes for which they were intended";

- Procurement management that involved devising transparent, competitive and cost-effective procurement procedures in the TFG; and
- Developing and implementing a financial training plan for staff in core financial institutions.[12]

15. In addition, there was meant to be an Oversight Committee, including the Minister of Finance, then Sharif Hassan Sheikh Aden, as well as other relevant ministers. The beneficiaries were stated to be civil servants and soldiers who would receive salaries through the mechanism, and the TFG through contracted goods and services.[13]

16. On 29 June 2009, PWC signed a contract with the TFG incorporating the terms of reference as the "Description of Services" (see annex 5.2.a). For its services, PWC would charge a management fee of 4 per cent for the first 1 - 100 million USD in the FMA, which would go down as the funds increased to 3.5 per cent for 100-200 million USD and 3 per cent for funds over 200 million USD. Donor funds, however, never exceeded 100 million USD.

17. A Senior Advisor at the Ministry of Finance, Abdusalam Omer, was appointed as the authorized representative of the TFG to the PWC FMA. In a subsequent contract of 3 December 2009, he was to be funded by the African Development Bank (AFDB) at a rate of 120,000 USD per annum as part of a public financial management project (see below). As an associate of the Minister of Finance, Sharif Hassan had brought Abdusalam Omer into the Ministry to serve as the interface with the donor community. He had earlier served as the Chief of Staff in the Executive Office of the Mayor of the District of Columbia Government, Washington, D.C., but had been forced to resign following an investigation by the Inspector General into his role in fundraising activities in the Executive Office.[14]

18. Following the establishment of the FMA, Abdusalam Omer became the TFG counterpart and the responsible individual for fulfilling the TFG's obligations. One of these obligations was to provide reports to PWC that ensured the TFG would spend funds in accordance with donor instructions prior to disbursement. However, after two initial reports in 2010, Abdusalam refused to provide further reports.[15] In addition, in collaboration with Sharif Hassan, he began to renegotiate implementation of the terms of reference for PWC, excluding all activities except the sole function of transferring funds to the TFG. In this way, a fiduciary agent was reduced to a transfer agency. PWC thereafter either transferred funds based on instructions of the donor and Abdusalam Omer, or in some cases spent funds directly. While PWC retained a

[12] Drawn from the Terms of Reference for "Financial Management Agency services to the Transitional Federal Government (TFG)", Ministry of Finance, August 2009.
[13] Presentation slides entitled, "Fiduciary Management Agency Services", TFG Ministry of Finance, 2 February 2010.
[14] The District of Columbia Board of Elections and Ethics recommended disciplinary action. See Order of the Office of Campaign Finance, Docket No. CF 2002-13, 29 October 2002.
[15] Interview with Abdirahman Warsame, Nairobi, 28 May 2013.

monitoring and evaluation function for its own operations, it did not account for TFG use of the funds.[16]

19. Between 2009 and 2012, a variety of donors channelled 56,835,354 USD through the PWC mechanism. This included 26,095,955 USD from the U.S. Government transferred from PWC through the agent Amal for the payment of stipends to the Somali security forces. In addition, several donors provided a total of 16.9 million USD for PWC to transfer directly to the CBS. An AFDB project of 1,967,950 USD was spent in part through the Horn Economic and Social Policy Institute (HESPI) in Addis Ababa. In addition, there were direct expenditures on behalf of the TFG and smaller projects with other financial arrangements.[17]

CBS transfers

20. Between 2010 and 2012, the Arab League, China, Germany and South Sudan committed 16.9 million USD for various purposes defined in varying degrees of detail in support of the TFG to be transferred by PWC to the CBS.

21. The procedure for transfer entailed, first, authorisation from the donor and Abdusalam Omer, who had the contractual responsibility on behalf of the Ministry of Finance to ensure the transmission of funds from PWC through to their deposit in the CBS. PWC from its bank accounts in Nairobi then electronically transferred the authorised amount to a money transfer agent, either Amal or Dahabshil, with instructions to deliver the designated funds to the CBS. The offices of either Amal or Dahabshil in Mogadishu, with the PWC monitoring agent, Eagle Associates, physically moved the cash funds to the CBS. At the CBS, in the presence of the Governor of the Central Bank, Abdillahi Hagi, and the Director General of the Ministry of Finance, Amina Sheikh Osman, the cash funds were counted. Upon verification, both Hagi and Osman signed a letter confirming receipt of the cash funds and issued deposit slips to be submitted to PWC (see annex 5.2.b).

22. By this procedure, between May 2011 and April 2012, twenty transfers were made amounting to 16,924,466 USD.[18]

23. In the accounts of the CBS, there are no deposits listed as coming from PWC. Rather, there are undefined deposits by the Ministry of Finance. By tracking the date and the amount of the PWC transfers, and checking receipts and slips provided by the CBS to PWC against CBS records, the Monitoring Group identified six deposits amounting to 4,852,235 USD. It was unable to trace 12,072,231 USD as having been deposited in the CBS (see annex 5.2.b.i-iv). While PWC received confirmation receipt letters signed by Hagi and Osman indicating the date and amount received, as well as deposit slips from the CBS for the other fourteen transfers, there are no corresponding deposits in the CBS.

[16] Interview with PWC, Nairobi, 20 March 2013.
[17] PWC, "Receipts from donors", 2009-2012.
[18] Analysis of PWC transfers to CBS, 2011-2012.

24. One of the largest transfers missing was for 2.5 million USD from the Government of Algeria sent through the Arab League (see annex 5.2.c). On 6 May 2011, this transfer was prepared by PWC and it was authorised by Abdusalam Omer (see annex 5.2.d). On 11 May 2011, PWC sent an email notification to Al Amal Commercial Brokerage regarding the pending transaction. On 16 May 2011, CBS Governor Hagi and Ministry of Finance Director General Osman confirmed receipt in writing of 2,025,000 USD at the CBS (see annex 5.2.e) and a CBS deposit slip was forwarded to PWC for their records (see annex 5.2.f). However, in the accounts of the CBS there is no record of a deposit for this amount on this date, or any other date that month.[19] The Monitoring Group considered whether the deposit might have been made in smaller increments over time, but has been informed that this would have been impossible and the CBS would be obliged to generate individual deposit slips for each transaction.[20]

25. Regardless of whether these funds reached the CBS, the Monitoring Group can confirm that the withdrawals made from the CBS following the dates of transfers were subject to the *fadlan* system and mostly in the name of private individuals. There is no evidence of expenditures from the CBS in accordance with the purposes of the funds stated by the individual donors.[21]

Subsistence supplies to the Somali security services

26. Funds from Libya, Rwanda[22] and China were channelled through PWC for the purchase of subsistence supplies for the Somali security services.

27. On 22 September 2009, China provided 500,000 USD to the TFG for support to the running costs of the Government through PWC. In a letter dated 27 October 2009, Minister of Finance Sharif Hassan wrote to PWC authorising 50,000 USD administrative costs to be paid to Abdusalam Omer, 40,000 USD of which he would forward to the Prime Minister's office (see annex 5.2.g). On 28 October 2009, Abdusalam Omer authorised the payment of 50,000 USD (see annex 5.2.h), which was deposited into his personal account the same day (see annex 5.2.i). There are no receipts on file with PWC from the Prime Minister's Office.

28. The same day, Abdusalam Omer authorised 400,000 USD to be transferred to Daljir Trading & General Services for food and subsistence supplies to security forces (see Annex 5.2.j). Daljir Trading was named in the previous report of the Monitoring Group. The owner of Daljir Trading Yuusuf Sheikh Mohamed works closely with his brother Abbas Sheikh Mohamed 'Jamalo' (also spelt Jimale). Both are close clan relations of then TFG President Sheikh Sharif, and together managed "the president's money".[23] Another alleged shareholder

[19] Analysis of CBS accounts for May 2011.
[20] Interview with sources with direct knowledge of PWC transfers, 28 and 31 May 2013.
[21] Detailed analysis of PWC transfers and CBS accounts, 2010-2013.
[22] The funds from Libya and Rwanda were originally designated for payment of salaries of MPs.
[23] S/2012/544, annex 1.1, paragraph 50.

of Daljir Trading is former Mogadishu port manager Sayid Ali Moallim Abdulle (see Annex 5.4).[24]

29. On 28 October 2009, Yuusuf Sheikh Mohamed of Daljir Trading authorised the payment of 400,000 USD to be sent to Abdirahman Yusuf Omar of Global Creative Agencies Ltd in Nairobi, Kenya (see annex 5.2.k). On 2 November 2009, Minister of Finance Sharif Hassan sent a letter to PWC authorising payment to Daljir Trading through Global Creative Agencies (see annex 5.2.l). On 5 November 2009, PWC authorised and sent the payment (see annex 5.2.m). The Monitoring Group was unable to trace any physical operations of Global Creative. According to sources in the Prime Minister's Office at the time, these funds were not used to purchase supplies for the security forces.[25]

30. On 16 December 2009, Sharif Hassan sent a letter to PWC concerning 300,000 USD owed to Daljir Trading (see annex 5.2.n). Two additional payments were made by PWC to Daljir to purchase food and subsistence supplies for the security forces. The first payment was made on 17 December 2009 for 140,847 USD (see annex 5.2.o) and the second one on 21 December 2009 for 159,160 USD (see annex 5.2.p). Both payments were made using Libyan and Rwandan funds designated for the salaries of MPs and running costs for ministries and the administration (see annex 5.2.q). The redirection of these funds to Daljir Trading had been permitted by PWC on reassurances from Abdusalam Omer that the remainder of Libyan and Rwandan funds already dispersed would be paid to MPs in a timely manner. Previously, in November 2009, two payments totalling 1.4 million USD had been transferred by PWC to a Dahabshil account in Deira Dubai to support the salaries of MPs (see annex 5.2.r.i-iii). However, by January 2010 the MP salaries had still not been paid (see annex 5.2.s). Again on 1 March 2010, PWC enquired about the status of MP salaries that still had not been paid (see annex 5.2.t). This email was addressed to Abdusalam Omer's junior advisor, Mohamed Abdinur (a.k.a. 'Madeer'), the brother of Finance Minister Sharif Hassan. According to the CBS accounts, these funds were not transferred to the CBS[26] and there is no documentation substantiating that MPs were paid from the Dubai account.

African Development Bank and HESPI

31. While the PWC mechanism was still in its initial stages of operations, the TFG began engaging with the African Development Bank (AFDB) regarding a public financial management project. Given Somalia's debt estimated at 3.3 billion USD, which was 81 per cent in arrears, Somalia was unable to obtain funding through commercial banks, and a briefing note was submitted to the AFDB for support to the famine, the internally displaced crisis and capacity building in the Government.[27] By 21 November 2009, Abdusalam Omer and

[24] S/2012/544, annex 1.1, paragraphs 49-50.
[25] Interview with sources working in the Prime Minister's Office, Nairobi, 27 February 2013 and 10 March 2013.
[26] Analysis of CBS accounts for 2010.
[27] TFG Briefing Paper on Somalia's Normalization of Financial Relations with the African Development Bank.

Mohamed Abdinur prepared a speech for Sharif Hassan to present to the AFDB in order to obtain a 2 million USD grant for capacity building in public financial management. They sought to emphasise to the AFDB that UN consultants had undermined capacity-building in Somalia and that the grant should be organised around Somali consultants, and in particular the individuals seeking the grant. On 1 December 2009, Aues Seek, a Somali public financial management consultant, emailed the AFDB regarding the implementation of the grant with terms of reference for the PFM Senior Advisor, a curriculum vitae of Abdusalam Omer and a payment schedule (see annex 5.2.u).

32. Abdusalam Omer was duly appointed as the PFM Senior Advisor for the project at the rate of 120,000 USD per annum. Between mid-2010 and November 2012, he received payments for salaries and costs from the AFDB through PWC amounting to 364,000 USD.[28] This financed both his role in the project, as well as the Ministry of Finance counterpart to PWC and the donor community.[29]

33. In addition, payments amounting to 1,150,000 USD were provided to HESPI to undertake capacity-building, CBS support and the drafting of PFM legislation. In March 2011, Ernst & Young completed an audit of the funds dispersed to that date. It found no irregularities with the bookkeeping of HESPI, but provided no supporting documentation.[30] More significantly, the report was submitted to Abdusalam Omer as the Senior Advisor for the TFG Ministry of Finance. On 3 March 2011, Abdusalam Omer duly approved the audit, while he was being paid by the project as the PFM Senior Advisor, a clear conflict of interest.[31]

34. Of the 2 million USD grant, according to PWC records (see chart below), at least 81 per cent of the funds were spent on advisor consultancy fees, administration costs and management fees. At present, there has been no verification of the training and capacity-building component of the project.

35. The AFDB commissioned a second audit from Kisaka & Company in April 2013. While the final audit is pending, the auditors found missing documentation at the AFDB and PWC. In April 2012, the Kisaka & Company auditors informed the Monitoring Group that HESPI had refused to meet with them.[32]

[28] PWC Fund Accountability Statement as at 31 December 2012, p. 23.
[29] Service contract for Ministry of Finance support between the TFG Ministry of Finance and Abdusalam Omer, Contract No. MoF/AfDF/03/09, 12 March 2009.
[30] The Monitoring Group sought supporting documentation for the audit from the AFDB, but it was not available.
[31] Ernst & Young, "Auditor's Report and Statement of Expenditure for the Period 01 April 2010 to 30 June 2011.
[32] Meeting with Kisaka & Company auditors, Nairobi, April 2013.

AfDB Fund Accountability Statement

For the period 1st July 2011 - 31st December 2012

Funds Received				
Balance Brought Forward				
01 August 2011 - AfDB				
01 August 2011 - AfDB				
24 October 2012 - AfDB				
Sub-total				
Less: Disbursements				
Fund Balance				
Represented By:				
Total				

36. On 7 December 2012, the new Minister of Finance, Mohamud Hassan Suleiman, replaced Abdusalam Omer as the representative for the PWC mechanism and appointed Ahmed Hagi Abdullahi and Abdirahman Sharif.[33] Sharif assumed Abudsalam Omer's contract with the AFDB, and his monthly salary of 10,000 USD would be paid from the remaining funds in the AFDB account of PWC.[34]

37. In May 2013, the Somalia Parliamentary Finance Committee completed its budget review of the last quarter of 2012. It determined that between October and December 2012, there was a total of 10.3 million USD spent by PWC on the FGS. Out of this amount, 2.3 million USD could not be accounted for.[35]

Capture of the PFM environment

38. The Monitoring Group has previously documented the phenomenon of the Somali contracting environment and the consequences of the international community transferring risk and responsibility for delivery in the humanitarian context (S/2010/91). The PWC mechanism and the AFDB project represented the development of this phenomenon in the context of PFM. The individuals involved abused development concepts of local ownership and capacity-building in order to access resources. It is paradoxical that efforts to achieve financial accountability became vehicles for corruption.

[33] Letter from the Minister of Finance to PWC and donors, 7 December 2012.
[34] Meeting with PWC, Nairobi, 17 April 2013.
[35] "Somalia Parliament Financial Committee Budget Review Report", 8 May 2013.

39. Following the announcement at the London Conference on Somalia of 23 February 2012 of a Joint Financial Management Board (JFMB) to be established, an intense period of negotiation between donors and the TFG produced a comprehensive terms of reference.[36] The JFMB had been conceived to finally address the mismanagement and misappropriation of public resources in the Somali Government. It was designed to overcome the patterns of corruption and networks of control over public resources. In light of its findings, the Monitoring Group recommended in its previous report an immediate establishment of the JFMB.[37] In paragraph 4 of resolution 2060, the Security Council welcomed the establishment of the JFMB. However, subsequently there was insufficient political will to launch it.

40. In particular, on the Somali side, the very individuals involved in capturing the PWC mechanism and AFDB project undermined Somali political support for the JFMB and instead proposed a Financial Integrity Authority. In a familiar pattern, it comprised, amongst others, three PFM consultants, the Minister of Finance and the Governor of the Central Bank, who would, in addition to other functions, coordinate donor funds. It argued:

> As UN and private agencies have been used as a conduit and managers of most of the external assistance granted to Somalia in the past twenty tears, and the nascent country institutions have been completely by passed, these decisions have led to emasculation of the Somali Ministry of Finance and central Bank.[38]

41. The appointment on 13 January 2013 of Abdusalam Omer as the Governor of the CBS in the FGS coincided with the introduction of a new initiative from the Government of Norway. A Special Financing Facility (SFF) would be administered by Norway, which would contribute 30 million USD as the stated shortfall of the 2013 Somali budget. Donor funds would be pooled in an international account and lump sums would be transferred to a government account controlled by the Ministry of Finance to pay for recurrent and capital costs. In its conception, it was effectively the recreation of the PWC mechanism, not as the FMA but again as a transfer agent.[39]

42. In subsequent iterations of the SFF proposal, the CBS under the new Governor became its financial counterpart. In a second version of 13 February 2013 and a third version of 10 April 2013, the Central Bank was designated to control the government SFF account.[40] To reinforce the role of the CBS, the recently established President's Policy Unit prepared a proposal to the SFF, dated 9 April 2013, describing the IT, electronic transfer and reporting capabilities of the

[36] "Joint Financial Management Board Terms of Reference", 25 June 2012.
[37] S/2012/544, paragraph 115 (a).
[38] "Somalia: A Proposal for Setting up a Financial Integrity Authority", prepared by HESPI, 2012, p. 7.
[39] "The Federal Government of Somalia: Financing the First Critical Year", Nordic International Support Foundation (NISF), 7 January 2013.
[40] "Public Financial Management Reform in Somalia: The Special Financing Facility (SFF), NISF, 13 February 2013 and 10 April 2013 versions.

CBS, none of which exist.[41] Indeed, Abdusalam Omer's own proposal, dated 13 February 2013, which he circulated to donors, sought support to establish these capabilities.[42]

43. According to SFF Action Plans of 13 February and 10 April 2013, transfers from the SFF international account to the Central Bank-controlled Government account would be made through the *hawala* money transfer system, as in the case of the PWC mechanism.[43] In May 2013, with Norway's support the Ministry of Finance issued a tendering process for the SFF banking services, and awarded the bid to Salaam Africa. The Monitoring Group understands that Salaam Africa bank is an enterprise of Ali Ahmed Nur Jim'ale,[44] designated by the Security Council for targeted measures. By September 2012, Salaam bank had established investment branches in Mogadishu providing loans against collateral to the growing number of businesses in the city. It was subsequently licensed by Abdusalam Omer after he assumed the office of Governor of the CBS. However, the licensing of banks by the CBS can only be done by the Board of the CBS, which was not in place, and not by the Governor.[45]

44. The modalities of the SFF have been developed on behalf of Norway's Minister of Development, Heikki Holmås, by a private entity, Nordic International Support Foundation (NISF), formerly headed by the current Special Envoy of Norway to Somalia, Jens Mjaugedal, a candidate supported by The Somali President for the position of Special Representative of the Secretary-General of the new UN Mission for Somalia (UNSOM). The image of Norway's efforts to support Somalia, however, have been affected by its oil interests in the area (see annex 5.5)

45. The capture of the PFM environment in the FGS by Abdusalam Omer and associates involved with him in the PWC mechanism and AFDB project are likely to undermine technical efforts of the donor community to establish the legitimate, transparent and effective management of public resources. In particular, the model of transferring funds without donor oversight over expenditures throughout the supply chain of procurement proved to have failed. Fiduciary management rather than the transfer of funds requires a different model, entailing at least an adaptation or selective implementation of the JFMB.

[41] CBS, Banking Operations Department, "Guide to the electronic payroll system of the Central Bank of Somalia", Proposal to the Special Financing Facility (SFF), 9 April 2013.
[42] CBS, "A New Beginning For The Central Bank of Somalia", 13 February 2013.
[43] "Special Financing Facility: Action Plan", NISF, 13 February 2013.
[44] Corroborated by Somalia analyst following a direct discussion with Jim'ale, 7 September 2012, a former member of the Board of the CBS, 20 May 2013, and a Somali banker and associate of Jim'ale, August 2012.
[45] Former member of the Board of the CBS, 20 May 2013.

Annex 5.2.a: PWC Contract Signatories

4

I. Form of Contract

This CONTRACT (hereinafter called the "Contract") is made the ..... day of the month of ....., 200.... between, on the one hand, **The Transitional Federal Government of The Somalia Republic** (hereinafter called the "Client") and, on the other hand, **PricewaterhouseCoopers Associates Africa Limited** (Hereinafter called the "Consultant").
WHEREAS

(a) the Client has requested the Consultant to provide certain consulting services as defined in this Contract (hereinafter called the "Services");

(b) the Consultant, having represented to the Client that it has the required professional skills, and personnel and technical resources, has agreed to provide the Services on the terms and conditions set forth in this Contract;

NOW THEREFORE the parties hereto hereby agree as follows:

1. The following documents attached hereto shall be deemed to form an integral part of this Contract:

(a) The General Conditions of Contract;

(b) The Special Conditions of Contract;

(c) The following Annexes:

Annex A: Description of Services
Annex B: PricewaterhouseCoopers Terms of Business
Annex C: Terms of Reference
Annex D: CVs of Professional Staff

2. The mutual rights and obligations of the Client and the Consultant shall be as set forth in the Contract, in particular:

(a) the Consultants shall carry out the Services in accordance with the provisions of the Contract; and

(b) the Client shall make payments to the Consultants in accordance with the provisions of the Contract.

IN WITNESS WHEREOF, the Parties hereto have caused this Contract to be signed in their respective names as of the day and year first above written.

For and on behalf of **The Transitional Federal Government of Somalia Republic**

Signed: _____

Name: Hassan Sheikh Aden

Abdusalam H Omer

Title: Minister for Finance

Contract Administrator

Date: 29/6/2009

29/6/2009

Stamp/ Seal

In the presence of:

Name: MOHAMED KHALIF, NUR

Title: AMBASSADOR

For and on behalf of PricewaterhouseCoopers Associates Africa Limited

Signed:

Name: AZHAR NAEEM

Title: Director

Contract Administrator

Date: 29/6/2009

Stamp/ Seal: PRICEWATERHOUSECOOPERS

In the presence of:

Name: Mugwe KIBATI

Title: Knowledge Coordinator AC

Annex 5.2.b: Examples of CBS Receipts for Unaccounted for Deposits

Annex 5.2.b.i: Unaccounted for Deposit on 1 June 2011

CONFIRMATION OF CASH RECEIPT

TO:

[redacted] of Finance and Accounting
[redacted]
[redacted]

[redacted]
Al Amal Commercial Brokerage
Dubai

RECEIPT OF OPERATIONAL FUNDS AT CENTRAL BANK OF SOMALI (CBS) HEADQUARTERS IN MOGADISHU

We confirm the receipt of $1,980,000 in cash from Jubba Group at the TFG Headquarters in Mogadishu.

Confirmation signed by:

Name: Mr. Abdillahi Hagi
Position: Governor of Central Bank
Signature:

Name: Ms. Amina Sheikh Osman
Position: Director General of the Ministry of Finance
Signature:

Witness

Name: Mohamed Omar Geidi Signature:
Position: Operation Contractor AMAL and TFG

Name:
Al Mohamed Barkhadle Signature:
Position: PWC representative
Date: 1/06/2011

Annex 5.2.b.ii: Unaccounted for Deposit on 16 June 2011

CONFIRMATION OF CASH RECEIPT

[redacted]

Head of Finance and Accounting
[redacted]
Nairobi

[redacted]
Al Ameri Commercial Brokerage
Dubai

RECEIPT OF OPERATIONAL FUNDS AT CENTRAL BANK OF SOMALI (CBS) HEADQUARTERS IN MOGADISHU

We confirm the receipt of $1980, 000 in cash from Jubba Group at the TFG Headquarters in Mogadishu

Confirmation signed by:

Name: Mr. Abdillahi Hagi
Position: Governor of Central Bank
Signature: [redacted]

Name: Ms. Amina Sheikh Osman
Position: Director General of the Ministry of Finance
Signature: [redacted]
Date: 16/6/2011

Witness:

Name: Mohamed Omar Geri Signature: [redacted]
Position: Operation Contractor Amal and TFG Mogadishu

Name: Al Mohamed Barkhadle Signature: [redacted]
Position: PWC representative

BANKIGA DHEXE EE SOOMAALIYA
البنك المركزي الصومالي

11261

Qaab 1 A/b
16 / 6 2011

CADDEYNTA JEEGAGGA (in8 laga bixinaaio)

Lam.	Jaad	Magaalada iyo qoraxy	Bankiga laga helo	Magaalada	Lacagta Sh. So

Ku Bilaxna xaqiiqda saxda (X/S) isku-turaabo yaha)
Caddaan... [illegible] magaca/id maalyaad...

Tirada _____ (min) 1000 Sh. So

		1,980,00

Lacagta caddi
Isugeynta
Lacagaha dheeraad
Cabir
Intii lagu bixiyey
Wixii wareeg
Tiraha caddaan
Isugeyn magaalada
o magaalooyin kale

		1,980,00
Sh. So		One million
		Nine hundred
		eighty dollars
		only

Jeegaga X/S Bankigu waa qabtda uu bayna tan iyo intuu lacagtooda ka helo. Lacagta waa uu horseedo karna, in loo soo celiyana gar buu u leeyahay.

Saxiixa _____

Magaca _____

Baxiye _____

Laashaay

LA PUBLICATION
10 JUN 2013

Annex 5.2.b.iii: Unaccounted for Deposit on 29 December 2011

CONFIRMATION OF CASH RECEIPT

To:

Head of Finance and Accounting
Central Bank of Somalia (CBS)
Nairobi

Manager
Al Nisar Commercial Brokerage
Nairobi

RECEIPT OF OPERATIONAL FUNDS AT CENTRAL BANK OF SOMALIA HEADQUARTERS IN MOGADISHU

We confirm the receipt of $ 965,222 in cash from Jubba Group at CENTRAL BANK OF SOMALIA HEADQUARTERS IN MOGADISHU and Plus Commission Charges Of 1.5%

Confirmation signed by:

Name: Hassan Sheikh Elmi
Position: Banking Operation department
Signature:

Witnessing:

Name: Hon. Ismail Sheikh Omar
Position: Director General of the Ministry of Finance
Name: Ali Mohamud Barkhadle
Position: PWC representative Mogadishu
Name: Mohamed Omar Gedi
Position: AMAL Operation contact TFG
Date: 29/12/2011

Annex 5.2.b.iv: Unaccounted for Deposit on 25 January 2012

CONFIRMATION OF CASH RECEIPT